

**TREASURY DEPARTMENT
UNITED STATES PUBLIC HEALTH SERVICE
HUGH S. CUMMING, SURGEON GENERAL**

**STATE LAWS AND REGULATIONS
PERTAINING TO PUBLIC HEALTH**

1922

COMPILED BY

JASON WATERMAN, LL. B.

AND

WILLIAM FOWLER, LL. B.

United States Public Health Service

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Hugh S. Cumming, *Surgeon General*

DIVISION OF SANITARY REPORTS AND STATISTICS

Asst. Surg. Gen. B. J. LLOYD, *Chief of Division*

The PUBLIC HEALTH REPORTS are issued weekly by the United States Public Health Service through its Division of Sanitary Reports and Statistics, pursuant to acts of Congress approved February 15, 1893, and August 14, 1912.

They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of cholera, plague, smallpox, typhus fever, yellow fever, and other communicable diseases throughout the world. (2) Articles relating to the cause, prevention, or control of disease. (3) Other pertinent information regarding sanitation and the conservation of the public health.

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CONTENTS

For arrangement of matter by subjects, consult the index

	Page
Alabama:	
Impounding of water—Regulation of, so as to prevent malaria	11
Exhibition grounds—Sanitary requirements governing toilets, drinking fountains, water supply, garbage and refuse, food, and drinks.	13
Arizona:	
Salaries and expenses incident to work of State board of health—Payment of	15
Migratory livestock—Inspection of, for communicable diseases—Control and eradication of communicable diseases in—Fees on ...	15
Connecticut:	
Communicable diseases—Reports of cases—Terms defined—Incubation periods—Minimum periods of communicability—Reports by local health officers to State health department—General control measures—Placarding—Quarantine—Isolation—Contacts—Carriers—Hospitalization—Return of milk and water containers from infected premises—Handling of food—Disinfection—Control of outbreaks in schools—Common carriers—Needless exposure prohibited—Control of tuberculosis and venereal cases—Examinations by approved laboratories may be required—Registration and approval of laboratories—Reports of positive laboratory findings—Record and reports of sales of diphtheria antitoxin and antimeningitic serum—Aid to needy quarantined persons—Reports of deaths by undertakers—Burial—Control of unusual conditions	17
Delaware:	
Communicable diseases—Disinfection	30
Georgia:	
State tuberculosis hospital—Cities, towns, and counties authorized to appropriate money for use at—Regulations to be made by State board of health concerning	31
Public health—Certain counties authorized to provide for the protection of, by contracting with cities within the counties or with health organizations	31
Hawaii:	
Tuberculosis—Physicians required to make certain reports concerning cases of	32
School teachers—Health certificates required of, annually. Pupils—Medical examination and vaccination of	32
Illinois:	
Tuberculosis—Reports of cases—"Open cases" defined—Hospitalization or isolation and placarding in certain cases—Precautions to prevent spread—Inspection of home of patient—Sputum examina-	

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Illinois—Continued.	Page
tions—Removal of cases—School attendance—Employment in schools of open cases prohibited—Handling and sale of food—Disinfection.....	33
Trachoma—Reports of cases—Isolation—Placarding—Advice to be given patient and members of household—Precautions to prevent spread—Investigation of cases—Removal of cases to other health jurisdictions—Attendance at schools and gatherings.....	37
Venereal diseases—Reports of cases—Repression of prostitution—Records and reports by druggists—Reports to be confidential—Circular of information to be given patient—Treatment—Laboratory examinations—Reports by laboratories of positive findings—Exposure of others by infected person unlawful—Isolation—Quarantine—Placarding—Prohibited occupations—Control measures—Examination of suspected cases—Duties of health authorities—Issuance of certificates showing freedom from infection—Removal of cases to other health jurisdictions—Examination and treatment of inmates of penal, correctional, and charitable institutions—Terms defined..	38-39
Kansas:	
Typhoid fever carriers—Definition—Reports to State department of health regarding—Instructions to be given carrier—Precautions by carrier to prevent spread—Prohibited occupations—Removals to other jurisdictions—Laboratory examinations of discharges—Release	48
Diphtheria—Quarantine restrictions—Control of carriers	49
Mumps—Quarantine restrictions—Placarding—Attendance at school and gatherings of nonimmune contacts among children	49
Dairy products—Requirements governing the production, manufacture, handling, testing, and sale	50
Kentucky:	
Tuberculosis hospitals—Establishment, equipment, and maintenance of, jointly by counties and first-class cities therein.....	53
Ice cream—Definitions and standards—Sale	58
Eggs—Sale—Candling—When deemed unfit for human food.....	58
Births and deaths—Registration.....	59
Housing act repealed	61
Louisiana:	
State tuberculosis commission—Creation—Meetings—How constituted—Compensation of members	62
Births and deaths—Fees to physicians, midwives, and other persons in connection with the issuance of certificates of	62
Maryland:	
Communicable diseases—Measures to be taken and regulations to be adopted and enforced by the State board of health to prevent the introduction and spread of—Conferences of health officers.....	63
Communicable diseases—Temporary exercise by attending physician of powers of county health officers to restrict or suppress.....	63
Tuberculosis—Certain provisions of law relating to, repealed—Distribution of printed instructions and materials and supplies to prevent the spread of	63
State tuberculosis hospital for advanced cases—Administrative commission for	64
Administrative code—Provisions of, relating to the State department of health, State board of health, and State director of health	64

Maryland—Continued.

	Page
State department of health—Designation of bureaus authorized to be established. Bureau of child hygiene—Duties	66
Full-time county health officers—Appointment authorized—Powers, duties, and compensation—Act not applicable to certain counties.	66
Poultry soaked in water—Provision of law prohibiting the sale of, repealed	67
Nonalcoholic beverages—Manufacture, bottling, and sale	67
Habit-forming drugs—Prosecution of persons violating law relating to	70
Wash rooms at coal mines—Establishment, maintenance, and sanitary requirements	70

Massachusetts:

Surgical or nonpulmonary tuberculosis—Investigation by State department of public health relative to providing additional hospital accommodations for the treatment of	71
Pupils—Medical inspection of, in certain cases	71
Tuberculosis hospitals—Powers of counties relative to	71
Mental hygiene—Establishment of division of, in the State department of mental diseases—Powers and duties of department of mental diseases and division of mental hygiene relative to	72
Adulterated food—Publication by State department of public health of certain information relative to	72
Fish—Inspection—Seizure and disposal of, when unfit for food	73
Liquors—Analysis of, by the State department of public health	73
Vinegar—Definition—Standards—When deemed adulterated	74
Vinegar—Methods for the examination of	74
Bovine animals—Tagging of, when tuberculin tested—Requirements to be observed on transfer of possession of reacting animals	74
Diseased domestic animals—Appraisal—Destruction—Payments to owners	74
Hypodermic instruments—Possession and sale. Habit-forming drugs—Places where illegally used, kept, or sold deemed common nuisances—Penalty for unlawful possession, sale, or furnishing of. Drug addicts, dipsomaniacs, and inebriates—Commitment of, for detention, care, and treatment	75
State registrar of vital statistics—Appointment, compensation, powers, and duties	80
Town records of births, deaths, and marriages prior to 1850—Purchase and distribution of printed copies by the State secretary	80
Dead bodies—Permits for the burial or other disposal of	81
Plumbing and drainage—Continuance of investigation as to the advisability of standardizing municipal regulations relative to	82

Minnesota:

Diphtheria—Quarantine—Laboratory examination of cultures—Attendance at schools and gatherings—Control of, in public institutions	83
Smallpox—Quarantine	84
Shaving brushes containing horsehair—Manufacture, possession, sale, or distribution of, prohibited	84
Maternity hospitals—Duties of local health officers relative to	84
Private baby homes—Requirements to be observed in	84
Certified milk—Standards and requirements applicable to	84
Certain regulations of the State board of health repealed	85

Mississippi:	Page.
Venereal diseases—Treatment of indigent cases by State-aided hospitals	86
Dairy products—Production, handling, and sale—Definitions	86
Certain sanitary work on private property—Performance of, by municipalities—Assessment of cost of, against the property	88
Nuisances—Proceedings for the abatement of	88
Montana:	
Horsehair shaving brushes—Manufacture, importation, or sale prohibited	90
Food manufacturing establishments—Opening of, in certain basement rooms prohibited	90
Soda fountains, ice cream parlors, and soft drink establishments—Sanitary requirements—Employees	90
Nebraska:	
Venereal diseases—Inmates of the State reformatory for women not to be paroled or released if afflicted with	92
Swimming pools and public swimming or bathing places—Sanitary requirements—Approval of plans for—Inspection	92
New Jersey:	
County communicable disease hospitals—Management—Removal of infected persons to—Care and treatment of persons in	94
County communicable disease hospitals—Control of, by board of chosen freeholders	95
County tuberculosis hospitals—Establishment, management, maintenance, and inspection	95
County tuberculosis hospitals—Powers and duties of superintendent—Admission, care, treatment, and maintenance of patients—State aid	98
State department of health—Establishment—How constituted	101
Associations of local health employees formed for pension purposes—Physical examination of employees applying for membership—Retirement of members	102
Milk and milk products—Definitions—Standards—Manufacture—Sale—Labeling of containers	102
Ice cream—Definition—Standards—When deemed adulterated or misbranded—Sale	103
Sewerage districts—Creation and establishment of, by municipalities. Sewerage systems in sewerage districts—Construction, operation, and maintenance of, by municipalities	104
Sewers, drains, and sewage disposal or treatment plants—Purchase or contracting for the use of, by municipalities	105
New Mexico:	
Communicable diseases and industrial diseases—Reports of cases ...	106
Communicable diseases—Terms defined—Duties of health officers—Placarding—Quarantine—Isolation—Disinfection—School attendance—Handling and sale of food—Exposure to—Laboratory examinations—Control measures for specific diseases. Venereal diseases—Placarding—Isolation—Quarantine—Disinfection—Treatment—Issuance of certificates showing freedom from infection—Circular of information to be furnished patient—Periods of communicability ..	108
Ophthalmia neonatorum—Preventive treatment	125
County health officers—Qualifications required for appointment as, at a compensation greater than \$1,800 per annum	126

New Mexico—Continued.	Page
Sewage treatment plants—Operation	126
Births and deaths—Registration	129
Birth and death records—Examination of	134
Dead bodies—Interment, disinterment, and transportation	134
Public swimming pools—Construction—Operation—Sanitary requirements	137
Construction camps—Sanitary requirements	140
Public camp or picnic grounds—Sanitary requirements	142
New York:	
Communicable diseases—Designation—Submission of specimens for laboratory examination—Preventive treatment for ophthalmia neonatorum—Restrictions on healthy adults in infected household—Attendance at schools and gatherings—Minimum periods of isolation—Reports of outbreaks or unusual prevalence of diarrhea and jaundice	144
Mosquitoes—Extermination—Work by county commissions	146
Occupational therapy departments—Establishment, maintenance, and operation of, by municipal corporations in connection with public general hospitals or tuberculosis hospitals—Validation of prior action relative to	147
Public general hospitals in counties, towns, cities, or villages—Provision may be made in certain cases for the care of tuberculous patients in	148
Division of maternity, infancy, and child hygiene in the State department of health—Establishment, purposes, powers, and duties—Officers and employees—Appropriations	149
Department of public health in second and third class cities—Establishment authorized—Appointment, qualifications, and compensation of commissioner of health or health officer and deputy commissioner of health—Employment and compensation of subordinates	150
Milk and cream—Local health authorities may adopt regulations relating to	151
Farms and markets law—Provisions of, relating to dairy products, domestic animals, and food as affecting public health	151
Food and drugs—Article 4 of public health law relating to the adulteration of, repealed	175
Adulterated drugs and medicines and ice cut from canals—Sale	175
Midwives—Licensing and registration—Certain acts not to be done by	175
Births and deaths—Registration	178
Garbage and rubbish—Wilful depositing of, on highways unlawful	179
Philippine Islands:	
Leprosy—Sale to private parties of drugs manufactured by the government for the treatment of	180
Pupils—Medical inspection	180
Opium and instruments and articles intended to be used with opium—Forfeiture and disposal of, when unlawfully used or possessed	180
Porto Rico:	
Plague—Fumigation of cargo from ports infected with—Periodic fumigation of places used for the storing of provisions	181
Bakeries—Construction—Sanitary requirements—Health certificates required of employees. Bakery products—Manufacture and sale—Sanitary requirements	181

Porto Rico—Continued.	Page
Factories, workshops, and public establishments—Licensing—Health certificates may be required of employees.....	184
Urbanization of lands—Sanitary requirements.....	185
Rhode Island:	
Mosquitoes—State aid to towns making expenditures for the extermination of.....	188
Secretary of State board of health—Duties—Term of office.....	188
South Carolina:	
Printing for the State board of health—Provision of law relating to, repealed.....	189
Drinking water—Analyses of, required—Publication of results of analyses of.....	189
Hotels, lodging houses, and restaurants—Inspection fees.....	189
Tennessee:	
Public swimming pools—Construction—Operation—Sanitary requirements.....	191
Virginia:	
Communicable diseases—Reports of cases—Placarding—Quarantine—Isolation—School attendance—Burial—Disinfection—Fumigation—Control measures for specific diseases.....	194
Venereal diseases—Examination and treatment for, of inmates of penal institutions, insane hospitals, and colonies for the epileptic and feeble-minded.....	200
Tuberculosis clinical unit of physicians and nurses—Organization. Publications on tuberculosis—Printing.....	200
Pavilions for tuberculous young children—Erection of, at State tuberculosis hospitals.....	200
Impounding of water—Regulation of, so as to prevent malaria.....	201
Maternity hospitals—Definition—Licensing—Inspection—Requirements to be observed—Keeping of records—Making of reports....	202
Children's boarding houses or nurseries—Definition—Licensing—Keeping of records—Making of reports—Inspection.....	203
Schools—Sanitary requirements.....	205
Hotels—Definition—Inspection—Correction of improper conditions—Sanitary requirements.....	206
Hotels and restaurants—Screening—Protection of water supply....	207
Food establishments—Employees required to be free from communicable diseases.....	207
Human excrement—Sanitary disposal.....	207
Local registrars of vital statistics—Designation—Penalty for failure or neglect to perform duties.....	207
Deaths—Duties of undertakers relative to registration of.....	208
Barber shops, hair dressing parlors, and public bathhouses—Sanitary requirements.....	208
Places where manicuring or chiropody is done—Sanitary requirements	209
Churches, theaters, halls, and other buildings used for public meetings—Ventilation—Cleaning. Spittoons to be provided in public halls, etc.....	210
Wisconsin:	
Diphtheria—Quarantine restrictions governing patient, contacts, and carriers.....	211
Schools—Control of communicable diseases in—Water supply—Drinking fountains—Heating.....	212

INTRODUCTION

Reprints from the PUBLIC HEALTH REPORTS numbered 200, 264, 279, 338, and 406, supplements to the PUBLIC HEALTH REPORTS numbered 37, 38, 42, 43, and 45, and the present volume, taken together, contain State laws and regulations pertaining to the public health approved or adopted from July 1, 1911, to December 31, 1922, inclusive.

Municipal ordinances, rules, and regulations pertaining to the public health have also been published, and reprints numbered 70, 121, 199, 230, 273, 364, and 388, and supplements numbered 40 and 44 are compilations of these ordinances and regulations which were adopted during the 13-year period 1910 to 1922, inclusive.

INTRODUCTION

The purpose of this study is to investigate the effects of various factors on the growth and development of the human body. The study is based on a review of the literature and a series of experiments conducted over a period of six months. The results of the study are presented in the following chapters. Chapter I discusses the general principles of growth and development. Chapter II describes the methods used in the study. Chapter III presents the results of the experiments. Chapter IV discusses the significance of the findings. Chapter V concludes the study and suggests areas for further research.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH

ADOPTED DURING THE YEAR 1922

ALABAMA

**Impounding of Water—Regulation of, so as to Prevent Malaria. (Reg. Bd. of H.,
Dec. 1, 1922)**

SECTION 1. Any person, firm, corporation, county, or municipality desiring to impound water, or who propose[s] to raise the level of a previously existing pond by the elevation of point of overflow of a dam, shall, prior to the initiation of any construction activities, make application to the State board of health for, and obtain from it, preliminary permit for the impounding of such water.

Provided: That this section shall not be construed to apply to ponds of less than one-tenth acre for watering stock or other domestic purposes, nor to impound[ed] waters so located that no portion of them lies within 1 mile of any permanent human habitation, congregation, or place of business other than that of the owner.

SEC. 2. Such application for a preliminary permit shall be made in writing in the name of the person, firm, corporation, county, or municipality making application, and shall be accompanied by a description of the proposed project, its purpose, and its exact location; also by an accurate plat of the area to be affected, showing particularly the maximum and minimum water levels.

SEC. 3. Such a temporary permit for the inauguration of initial construction shall be issued by the State board of health when the following rules and regulations, or modifications thereof, have been made to apply to the said project.

Provided: That all the provisions of this section need not apply to impounding projects when, in the opinion of the State board of health, there are other factors or circumstances which render or may render the observance [of] or compliance with the provisions of this section unnecessary.

3-a. In the area to be occupied by the reservoir, its branches, bights, and indentations, all brush, trees, undergrowth, logs, stumps, and similar objects which, if not removed, would float or collect flottage on the surface of the impounded water, and all of the above material that is lying on the ground or remaining in original or new position, which would probably cause collection of flottage to gather, and thus constitute conditions favorable to the protection of larvæ of mosquitoes capable of conveying malaria, shall be removed, burned, or otherwise satisfactorily disposed of, prior to the impounding of the water.

Note.—The above does not include grass, vegetation, brush, trees, stumps, etc., which will be permanently and completely submerged at time of low water and which are, therefore, not of sanitary importance.

3-b. In the area to be occupied by the reservoir, its branches, bights, and indentations all brush, trees, and undergrowth which would pierce the surface at low-water level shall be cut off at least 1 foot below such water level to prevent the collection and anchorage of any possible flottage, rafts, etc.

3-c. The shore line of the reservoir, its branches, bights, and indentations, from minimum low-water level to a line 25 feet horizontally beyond normal high-water level, shall be cleared of all brush, trees, undergrowth, and the like, so as to prevent the collection of drift and flottage along the shore.

3-d. All pine trees within an area circumscribed by a line 50 feet inland from the maximum high-water level of the reservoir, its branches, bights, and indentations, shall be ringed and deadened at the time of initial construction on the project, so as to prevent the falling into the water of pine tags, collections of which provide a favorable breeding place for Anopheline larvæ.

3-e Small ponds, or other waters, suitable for the propagation of *Gambusia* (top minnows) in sufficient numbers to stock the reservoir, its branches, bights, and indentations for effective mosquito control, shall be provided at the time of initial construction on the project, in accordance with definite written instructions from the State board of health.

3-f. All depressions which will be filled with water from the reservoir, its branches, bights, and indentations at time of maximum water level, in which water will be retained at lower stages of the water level, thus forming separate pools, shall be connected with the normal body of the reservoir, or any of its branches, bights, or indentations, with a ditch or culvert which will permit complete drainage and the entrance of top-feeding minnows.

Note.—Such places are generally few in number, but are of importance in mosquito production.

SEC. 4. A preliminary permit for the impounding of water having been granted by the State board of health, and construction work on the project begun, a representative of the State board of health shall make inspections of the project from time to time, and as requested by the permit holder, and the State board of health shall approve in writing of that portion of the work as is outlined in section 3 of the regulations which has been satisfactorily completed.

As the said representative of the State board of health determines that the preliminary permit holder is complying with the provisions of section 3-a of these regulations, and as it shall appear that the preliminary permit holder has complied with the provisions of section 3-b of these regulations, the permit holder may thereupon proceed, as authorized by written approval from the State board of health, with the impounding of water to a level specified by said representative of the board of health, and, when it shall appear that the permit holder has complied with the regulations to the satisfaction of the board, said board of health shall certify such fact to the permit holder in writing and the permit holder may thereupon proceed with the impounding of water to a maximum high-water level.

SEC. 5. The State board of health shall thereupon issue a final permit for the maintenance of an impounding project by said applicant, the validity of said permit being contingent upon the observance of the following regulations:

5-a. During the mosquito breeding season the permit holder shall regularly and frequently remove all flottage and floating débris in the reservoir, its branches, bights, and indentations which are producing mosquitoes within 1 mile of human habitation.

5-b. Prompt and proper measures shall be taken to prevent the growth of cat-tails, bulrushes, and other aquatic or semiaquatic vegetation which offers protection of mosquito larvæ from their fish enemies.

5-c. Newly created impounded waters shall not be stocked with game fish (trout or bass and pike) without written permission from the State board of health and the State department of conservation.

5-d. After the water has been impounded, the State board of health shall from time to time make such inspections of the impounded waters and adjacent areas as are deemed essential; and any conditions found on the impounded water project that are, or may be, detrimental to public health, or are likely to cause an increase of malaria, shall be modified by the permit holder so as to be satisfactory to the State board of health.

5-e. These regulations shall govern any change in water level, and as soon as any proposed changes affecting the maximum water elevation are contemplated the State board of health shall be notified in writing.

SEC. 6. Failure to comply with the provision of any section or subsection of these regulations shall constitute a violation thereof, and shall constitute, according to section 7073 of the Code of Alabama, a misdemeanor punishable as provided in that section.

Exhibition Grounds—Sanitary Requirements Governing Toilets, Drinking Fountains, Water Supply, Garbage and Refuse, Food, and Drinks. (Reg. Bd. of H., July 10, 1922)

SECTION 1. For purposes of enforcement of these regulations, they are hereby declared to apply to any and every exhibition or exposition held within an inclosure, to which an admission fee is charged, which is hereafter held in the State of Alabama.

Provided, That they shall not be held to apply to school or church fairs except in so far as the sale of foods or beverages is concerned.

SEC. 2. Every permanent exhibition grounds shall be provided with separate sanitary toilets for each sex of each race attending the exhibitions, properly located with respect to food-handling concessions, and sufficient in number to accommodate the visitors to the grounds. Such toilets shall conform in all respects with specifications furnished by the county health officer or State board of health, and shall be maintained in a state of cleanliness and devoid of nuisance.

The average for the two preceding years of the largest day's attendance shall be taken as the basis for estimates of toilet requirements at any time. The following ratio of toilet seats or stools to attendants at the grounds shall be maintained: 8 seats for the first thousand attendants, 7 seats for the second thousand attendants, 6 seats for the third thousand attendants, 5 seats for the fourth thousand attendants, 4 seats for the fifth thousand attendants, 2 seats for each thousand between 5,000 and 10,000, 1 seat for each thousand in excess of 10,000.

This ratio shall apply to each race, and 60 per cent of the seats shall be designated for women, 40 per cent for men.

In the male toilets there shall be one urinal stall or 18-inches of urinal trough corresponding to each seat or stool.

SEC. 3. On the grounds occupied by circuses, street fairs, ball grounds, and similar itinerant or brief exhibitions, toilets and urinals, when provided, shall conform to specifications furnished by the county health officer or State board of health, in numbers ample to meet the needs of the maximum attendance, this number to be determined by the county health officer or the State board of health.

SEC. 4. Every permanent exhibition grounds shall be provided with separate drinking fountains for the use of visitors, plainly designated for each race.

These drinking fountains shall be of the slant-stream type, must be approved by the county health officer or State board of health, and must be supplied with pure water, which meets all requirements of the public health laws. The use of vertical bubbling fountains and the use of water for human consumption from open wells is hereby prohibited.

SEC. 5. Fireproof and water-tight waste receptacles or garbage cans shall be provided for the reception of wrappings and food scraps on all exhibition grounds. The contents of these receptacles shall be removed and destroyed at daily intervals by a process approved by the county health officer or State board of health.

SEC. 6. Provision shall be made for the removal and disposal of solid and liquid wastes from all food-handling concessions on any exhibition grounds, in a manner and to a degree approved by the county health officer or State board of health.

SEC. 7. All foods served at concessions on any exhibition grounds shall be served only from plates or dishes which have been cleaned in a manner and to a degree approved by the county health officer or State board of health or from paper plates or dishes.

SEC. 8. Plates, knives, forks, and spoons used in the service of food at all concessions on any exhibition grounds shall be thoroughly cleaned after each use, in a manner and to a degree approved by the county health officer or State board of health.

SEC. 9. All beverages sold or served at concessions on any exhibition grounds shall be served only from individual paper cups which are used but once.

Provided, That bottled beverages, made and bottled in regularly inspected bottling plants, may be sold in the bottles and drunk therefrom.

SEC. 10. All prepared food sold at concessions on any exhibition grounds, such as sandwiches, pies, cakes, cold meats, shall be protected from flies and dust by being wrapped in clean, unused paper, or by being kept in closed glass cases, refrigerators, or other covered containers, in a manner and to a degree approved by the county health officer or State board of health.

SEC. 11. Foods in course of preparation at all concessions on any exhibition grounds, such as hot lunches or dinners, or weiner sandwiches, candy, candied fruit, pop corn, crushed-fruit juice, etc., shall be effectively protected from dust and flies by means of screens, fans, or any other appliances approved by the county health officer or State board of health.

SEC. 12. Only ice cream made in regularly inspected plants may be sold from any concession on any exhibition grounds, and the means of service shall conform to the provisions of section 8, and be approved by the county health officer or State board of health.

SEC. 13. Persons suffering from or infected with any communicable disease are hereby prohibited from taking part in the preparation, handling, or service of food or beverages on any exhibition grounds. When a reasonable suspicion of infection with a communicable disease exists, any person who refuses permission for examination by the county health officer, State health officer, or a duly accredited representative of either shall be barred from the preparation, handling, or service of foods or beverages.

SEC. 14. The management or lessee of the exhibition grounds shall be held responsible for the observance of these regulations which apply to equipment, and shall be held equally responsible with all concession holders for the observance of the provisions of those sections concerning the preparation, handling, or service of foods and beverages.

SEC. 15. Every day of the nonobservance of any section of these regulations shall constitute a separate offense.

ARIZONA

Salaries and Expenses Incident to Work of State Board of Health—Payment of. (Ch. 35, Act Apr. 12, 1922)

SEC. 64. That paragraph 4371 of the Revised Statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

4371. The president and vice president of the board shall receive no compensation, but they shall be paid 10 cents for every mile actually and necessarily traveled by them in the performance of their official duties, and other expenses incurred by them, on warrants drawn by the State auditor and the State treasurer, who shall pay the same out of the general fund and appropriation for the State board of health authorized in the general appropriation bill.

SEC. 65. That paragraph 4372 of the Revised Statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

4372. The superintendent of public health shall receive an annual salary of \$1,000, payable in semimonthly installments, which salary and all expenses of his office shall be audited by the State board of health and paid out of the general fund and the appropriation for the State board of health, as authorized in the general appropriation bill.

SEC. 66. That paragraph 4406 of the Revised Statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

4406. The secretary of the State board of health shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board, and he shall be the State registrar of vital statistics.

He shall be paid an annual salary of \$1,000 in equal semimonthly installments, which salary and all salaries and costs and expenses of whatsoever kind shall be paid upon duly itemized and sworn claims approved by the State registrar of vital statistics on the State auditor, who shall draw his warrants therefor on the State treasurer, who shall pay the same out of the general fund and the appropriation for the State board of health, authorized in the general appropriation bill.

SEC. 67. That paragraph 4451 of the Revised Statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

4451. The State auditor is hereby authorized and directed to draw his warrants for all salaries, supplies, equipment, and other expenses necessary to carry out the provisions of this chapter upon the presentation of vouchers duly approved by the director of the State laboratory, and the superintendent of public health on the State treasurer who shall pay the same out of the general fund and the appropriation for the State laboratory, authorized in the general appropriation bill.

Migratory Livestock—Inspection of, for Communicable Diseases—Control and Eradication of Communicable Diseases in—Fees on. (Ch. 28, Act Apr. 4, 1922)

SECTION 1. By the term "migratory livestock" is meant such livestock as is temporarily kept, driven or pastured, or suffered to range or graze for temporary periods of not less than 10 days in this State from adjoining States.

SEC. 2. Whenever any migratory livestock is driven into or pastured or suffered to range or graze or does range or graze in this State from an adjoining State, the owner thereof, or his agent, shall within 10 days from the time any such livestock enters this State, notify the sheriff of the county into which such entry is made of such entry.

It shall be the duty of the sheriff of each county to inspect or cause to be inspected any migratory livestock within the county, for the purpose of determining whether or not such livestock is affected with any infectious, contagious, or communicable disease.

SEC. 3. Should the sheriff or other person designated by him as inspector find such migratory livestock to be affected with any infectious, contagious, or communicable disease, the livestock sanitary board, the sheep sanitary commission, or other State officer who is authorized and empowered to place under quarantine any livestock so affected or infected shall be notified immediately by such officer so that any necessary action may be taken by such board, commission, or officer for the control and eradication of such disease.

SEC. 4. In carrying out the provisions of this act the sheriff or his deputy or inspector appointed by the sheriff shall collect a fee of 50 cents per head on all cattle and horses and 25 cents per head on all sheep or goats entering the State of Arizona from any other State for the purpose of ranging or grazing within this State. All fees so collected shall be paid monthly by the sheriff to the county treasurer for deposit in the general fund of the county.

SEC. 5. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000 or by imprisonment for a term of not to exceed six months or by both such fine and imprisonment.

SEC. 6. Nothing in this act shall apply to livestock in transit through this State by railroad or other means of public transportation, nor shall it be construed as affecting livestock owned by residents of this State which are ranged a portion of the year in adjoining States or which are taken into adjoining States for shipment back into this State, and no railroad company shall be liable for any penalty for receiving and shipping such livestock.

SEC. 7. This act shall be construed as supplementary to and not in conflict with the other statutes of the State governing or regulating livestock industry.

CONNECTICUT

Communicable Diseases—Reports of Cases—Terms Defined—Incubation Periods—Minimum Periods of Communicability—Reports by Local Health Officers to State Health Department—General Control Measures—Placarding—Quarantine—Isolation—Contacts—Carriers—Hospitalization—Return of Milk and Water Containers from Infected Premises—Handling of Food—Disinfection—Control of Outbreaks in Schools—Common Carriers—Needless Exposure Prohibited—Control of Tuberculosis and Venereal Cases—Examinations by Approved Laboratories May be Required—Registration and Approval of Laboratories—Reports of Positive Laboratory Findings—Record and Reports of Sales of Diphtheria Antitoxin and Anti-Meningitic Serum—Aid to Needy Quarantined Persons—Reports of Deaths by Undertakers—Burial—Control of Unusual Conditions. (Reg. Dept. of H., Jan. 13 and Nov. 3, 1922.)

REGULATION 1. *Repeal of former regulations.*—All rules and regulations adopted or approved by the State board of health prior to the first day of March, 1918, relating to communicable diseases are hereby declared null and void.

REG. 2. *Certain words and terms defined.*—The words and terms as used in this code are defined as follows:

(a) *Commissioner of health.*—The term "State commissioner of health" means and includes acting State commissioner of health, deputy State commissioner of health, or any person legally authorized to act for the State commissioner of health.

(b) *Local health officer.*—The terms "local health officer" and "local health authority" mean and include town, city, borough, and local district health officer, local superintendent and commissioner of health, and any officer or person having the usual powers and duties of a local health officer.

(c) *Professional attendant.*—The term "professional attendant" means and includes those regularly licensed to practice osteopathy, chiropractic, and any other person who makes a profession or business of giving aid or advice to others for the purpose of alleviating physical or mental distress.

(d) *Communicable disease.*—A communicable disease is a disease incited by the entrance into a body and the multiplication therein of disease-producing organisms capable of being transmitted, directly or indirectly, to other persons or animals.

The term "communicable disease" embraces the common term "contagious and infectious disease."

(e) *Infectious agent.*—An infectious agent is a living microorganism capable, under favorable conditions, of inciting a communicable disease.

The words "germ," "organism," "microorganism," and "infectious agent" are used interchangeably.

(f) *Incubation period.*—The incubation period of a communicable disease is the interval which usually elapses between the entrance into the body of the disease-producing organism and the manifestation of the first symptoms of the disease.

(g) *Period of communicability.*—The period of communicability is the time during which a person affected with a communicable disease is capable of transmitting the infectious agent to others.

(h) *Susceptibles.*—A susceptible is a person or animal who is not known to be immune to a communicable disease.

(i) *Immunes.*—An immune is a person who is insusceptible to the influence of a particular infectious agent; such insusceptibility may be either natural or acquired. Acquired immunity follows recovery from an attack of a disease or successful vaccine or serum treatment.

(j) *Contacts.*—A contact is a person or animal that has been sufficiently near to an infected person, animal, or thing to make probable the transmission of the infectious agent to him.

(k) *Carriers.*—A carrier is one who harbors, in his body, the microorganisms of a communicable disease, but who, at the time, is apparently in good health. A carrier may convey the infectious agent to another person and, under favorable conditions, the germs may incite the disease in his own body.

(l) *Cultures.*—Cultures are growths of microorganisms propagated in or upon artificial media. The material for cultures is obtained from body fluids, secretions and excretions, for the purpose of determining the presence of disease-producing organisms.

(m) *Quarantine.*—Quarantine is a method of control intended to prevent the spread of disease, accomplished by confining persons, animals, or materials within a designated area, and excluding other persons, animals, or materials from such area.

(n) *Isolation.*—Isolation consists of the limitation of the freedom of persons or animals who are presumably affected with, or carriers of, or who have been exposed to, communicable disease, and the taking of measures to secure the prompt and regular disinfection of all infected body secretions and excretions and of all infected or presumably infected materials.

(o) *Restriction of movement.*—Restriction of movement signifies the exclusion of an individual from school and places of public assembly, and the restriction, so far as possible, of his or her association with persons not known to be immune to the disease in question.

(p) *Quarantine notice.*—A quarantine notice consists of a written or printed order of the health officer, posted at one or more entrances, forbidding unauthorized persons to enter or leave a quarantine area.

(q) *Placards.*—A placard is an official notice, written or printed, posted as a warning of the presence of a communicable disease on the premises or in the apartment or room so placarded.

(r) *Disinfection.*—Disinfection is the process of destroying the vitality of disease-producing organisms by physical or chemical means.

(s) *Concurrent disinfection.*—Concurrent disinfection signifies the immediate disinfection and disposal of body discharges, and the immediate disinfection or destruction of all infected or presumably infected materials.

(t) *Terminal disinfection.*—Terminal disinfection signifies the precautions taken to destroy or remove infectious material after the removal of the patient or the termination of isolation or quarantine.

(u) *Fumigation.*—Fumigation is the use of disinfecting gas for the destruction of bacteria, insects, and animals.

(v) *Renovation.*—Renovation consists of such repapering, painting, whitewashing, or other alteration of rooms or apartments as may be necessary to place the same in a proper and sanitary condition.

(w) *Cleansing.*—Cleansing consists of the removal of possible infectious material by scrubbing, washing, and exposure to sunlight and air.

REG. 3. *Diseases declared communicable.*—The term "communicable disease" shall include the following diseases, which are hereby declared to be infectious and communicable:

Actinomycosis.
Anthrax.
Botulism.
Cerebrospinal meningitis.
Chicken pox.
Cholera, Asiatic.
Conjunctivitis, infectious.
Diphtheria (all forms).
Dysentery, amebic.
Dysentery, bacillary.
Encephalitis, epidemic.
Favus.
German measles.
Glanders.
Gonorrhea.
Hookworm infection.
Influenza.
Leprosy.
Malaria.
Measles.

Mumps.
Paratyphoid fever.
Plague.
Pneumonia, lobar.
Poliomyelitis.
Rabies.
Scarlet fever.
Septic sore throat.
Smallpox.
Syphilis.
Tetanus.
Trachoma.
Trichinosis.
Tuberculosis, pulmonary.
Tuberculosis, other forms.
Typhoid fever.
Typhus fever.
Whooping cough.
Yellow fever.

REG. 4. *Diseases not enumerated.*—Communicable diseases not specifically enumerated in the preceding section shall be reported and controlled in accordance with special instructions of the State department of health or, in the absence of such instructions, in accordance with orders and directions of the local health officer.

REG. 5. *Physicians to report communicable disease.*—Every physician or professional attendant having under his care or observation a person affected with or apparently affected with a communicable disease, shall report to the health officer or other health authority within whose jurisdiction such patient is, the full name, age, address, and occupation of the patient, with the name of the disease. Such report shall be made by telephone, if practicable, and also in writing within 12 hours after his recognition of the disease: *Provided,*

(a) In reporting diseases of a venereal nature, a number shall be substituted for the name.

(b) In reporting tuberculosis, the report shall be made within 24 hours.

(c) In reporting anthrax, a duplicate report shall be sent to the commissioner of labor and factory inspection within 48 hours.

REG. 6. *Institutions to report communicable disease.*—The superintendent or, if there be no superintendent, the person in charge of any hospital, dispensary, or other institution having under its care or observation any person affected or apparently affected with a communicable disease, shall report to the health officer or other health authority within whose jurisdiction such patient is, the full name, age, address, and occupation of the patient, with the name of the disease. Such report shall be made by telephone, if practicable, and also in writing within 12 hours after the recognition of the disease: *Provided,*

(a) In reporting diseases of a venereal nature, a number shall be substituted for the name.

(b) In reporting tuberculosis, the report shall be made within 24 hours.

(c) In reporting anthrax, a duplicate report shall be sent to the commissioner of labor and factory inspection within 48 hours.

REG. 7. *Presumably communicable disease to be reported by physicians.*—Every physician or professional attendant having under his care or observation a person with an illness presumably a communicable disease shall introduce such pre-

cautions as are necessary to prevent the spread of the infectious agent until a diagnosis is established, or report such case to the local health officer: *Provided*, When an illness is presumably

Cerebrospinal meningitis.

Diphtheria.

Encephalitis, epidemic.

Paratyphoid fever.

Poliomyelitis.

Scarlet fever.

Smallpox.

Typhoid fever.

he shall report such suspected case to the local health officer without waiting for a diagnosis.

REG. 8. *Parents, guardians, and householders to report suspected cases of communicable disease.*—Every parent, guardian, or householder shall report immediately to the local health officer any case or suspected case of communicable disease existing among persons in the house or apartment under his care, and give such further information as may be required; except when such case or suspected case is under the supervision of a licensed physician.

REG. 9. *Presumably communicable disease in schools to be reported.*—The teacher of any public, private, parochial, or Sunday school, having under his or her care a pupil who appears to be affected with a disease presumably communicable, or a pupil who has been exposed, or presumably exposed, to such disease, shall immediately report the name and address of such pupil to the physician in charge of the school, or to the health officer; such report to be made directly or through the principal of said school. When such child is in attendance at school, it shall be promptly sent home or separated from other pupils until examined by the school physician or health officer. Any pupil excluded by reason of actually having, or having been exposed to, a communicable disease shall not be readmitted to school without the permission of the health officer.

REG. 10. *Presumably communicable disease in hotels, boarding and lodging houses, to be reported.*—The proprietor or keeper of any hotel, boarding house, or lodging house shall report forthwith to the local health officer any knowledge he may have relating to the illness or physical condition of any person, in the hotel or house under his control, who appears to be affected with a communicable disease, giving the name of such person; unless a licensed physician is in attendance upon such person.

REG. 11. *Nurses and persons in charge of camps to report presumably communicable disease.*—Any visiting, school, industrial, public health nurse, or midwife, and any person in charge of a summer camp or labor camp, having knowledge of a person affected with a disease presumably communicable, shall report at once to the local health officer within whose jurisdiction such case occurs all known facts relating to the illness and physical condition of such person, unless such nurse or other person is acting under the immediate direction of a licensed physician.

REG. 12. *Masters of vessels to report presumably communicable disease.*—The master or person in charge of any vessel lying within the jurisdiction of the State shall immediately report to the health officer at the nearest port or landing all known facts relating to the illness and physical condition of any person aboard such vessel affected with any disease presumably communicable.

REG. 13. *Presumably communicable disease on dairy farms, etc., to be reported.*—The owner or person in charge of every dairy, farm, or other establishment producing or handling milk, cream, or ice cream, for sale or distribution, shall immediately report to the local health officer any knowledge he may have regarding any person visiting or located on, in, or about such dairy, farm, or other establishment, who has, or who is suspected of having, a communicable disease.

REG. 14. *Incubation periods declared.*—For the purpose of this code, the accepted periods of incubation of certain communicable diseases are hereby declared to be as follows, and shall be observed by health officers in controlling contacts and cases of presumably communicable disease; except where otherwise specified (Note 1):

(INCUBATION PERIOD)

Anthrax	2 to 7 days
Cerebrospinal meningitis	2 to 10 days (Note 3).
Chicken pox	2 to 3 weeks.
Cholera	5 days.
Diphtheria (all forms)	2 to 7 days (Note 2).
Dysentery, amebic	Unknown (Note 4).
Dysentery, bacillary	2 to 7 days (Note 4).
German measles	10 to 21 days.
Glanders	Unknown (Note 5).
Influenza	2 to 5 days.
Measles	7 to 18 days.
Mumps	4 to 25 days.
Paratyphoid fever	10 to 21 days.
Plague, bubonic	7 days.
Pneumonia, lobar	2 to 5 days.
Poliomyelitis	3 to 14 days.
Scarlet fever	2 to 10 days.
Septic sore throat	1 to 3 days.
Smallpox	12 to 21 days (Note 6).
Typhoid fever	7 to 23 days (Note 7).
Typhus fever	14 to 20 days.
Whooping cough	14 to 21 days.

Note 1.—The incubation period is apparently prolonged in certain instances, due to unusual resisting power of the mucous membranes or to the weak virulence of the organism.

Note 2.—Contacts and cases of diphtheria should be released from quarantine after at least 2 successive cultures taken at least 24 hours apart from nose and throat are negative when examined for the diphtheria bacillus.

Note 3.—When possible, at least 2 successive cultures taken at least 24 hours apart from the naso-pharynx showing negative results when examined for the specific meningococcus should be secured before the release of contacts or cases of cerebrospinal meningitis.

Note 4.—Suspicious cases of amebic and bacillary dysentery should be identified by frequent examinations of the stools for the presence of ameba or dysentery bacillus.

Note 5.—Suspicious cases of glanders should be kept under observation until the diagnosis is determined by laboratory findings or by clinical symptoms.

Note 6.—Smallpox contacts must be quarantined or held under close observation for the full period of incubation, unless there is good evidence and history of successful vaccination within five years. Contacts vaccinated subsequent to exposure shall be quarantined or held under observation until a successful vaccination is obtained, or until the expiration of the incubation period. Suspicious cases should be held under strict quarantine until a diagnosis is determined.

Note 7.—Suspicious cases of typhoid fever should be held under observation until the diagnosis is determined by not less than two agglutination tests (Widal reaction) and clinical symptoms.

REG. 15. *Minimum periods of communicability declared.*—For the purpose of this code, the minimum periods of communicability of certain diseases are hereby declared to be as follows, and shall be observed by health authorities in controlling cases of communicable disease:

Anthrax: During the clinical course and until all lesions have healed.

Cerebrospinal meningitis: During the clinical course and until the specific organism is no longer present in the nose or mouth. (Reg. 14, Note 3.)

Chicken pox: Until primary scabs have disappeared.

Diphtheria (all forms): Until the bacilli have disappeared from the secretions of the nose, throat, and lesions. (Note 1 and Reg. 14, Note 2.)

Dysentery, amebic: During the clinical course. (Note 2.)

Dysentery, bacillary: During the clinical course. (Note 2.)

Encephalitis, epidemic: During the acute stage of the disease.

Favus: Until skin and scalp lesions are all healed.

German measles: Seven days from the onset of the disease.

Gonorrhea: Until discharges show the absence of gonococci.

Influenza: During the acute stage of the disease.

Measles: Seven days from the onset of the disease. Particularly communicable during early catarrhal stage.

Mumps: Unknown, but assumed to persist until the glands have returned to normal, never less than 14 days from onset.

Paratyphoid fever: From the appearance of the earliest symptoms, throughout the illness, and during early convalescence.

Plague, bubonic: During the clinical course in a building not infested with rats.

Pneumonia (lobar): During clinical course of disease.

Poliomyelitis: At least 21 days from the onset of the disease.

Scarlet fever: During the pre-eruptive stage and until all abnormal discharges have stopped and all open sores have healed, not less than three weeks from the onset of the disease.

Septic sore throat: During clinical course of the disease.

Smallpox: Until all lesions have healed.

Syphilis: As long as open lesions of the skin or mucous membranes exist.

Trachoma: During the existence of lesions of the conjunctivæ.

Tuberculosis: As long as the specific organism is discharged. Commences when a lesion becomes an open one and continues until it heals or death occurs.

Typhoid fever: From the appearance of the earliest symptoms, throughout the illness, and during convalescence. (Note 2.)

Whooping cough: During the active spasmodic stage of the disease, and at least two weeks after the whooping begins. Particularly communicable in the early catarrhal stage before the characteristic whoop makes the diagnosis possible.

Note 1.—In cases where the organism persists for an unduly long time after convalescence, cultures should be submitted for a virulence test to a laboratory approved by the State department of health, or the advice of the State department should be sought.

Note 2.—It is desirable, where possible, to release cases of dysentery (amebic), dysentery (bacillary), and typhoid fever only after the disappearance of the infective organisms has been shown by laboratory examinations of the excreta.

REG. 16. Reports by the health officer to the State department of health.—The local health officer shall report in writing within 24 hours to the State department of health, on the forms provided by the State department of health, every case of communicable disease of which he has knowledge, occurring within his jurisdiction or on the waters adjacent thereto, and on or before the 8th of each month the total number of cases of each communicable disease reported to him during the preceding month, with such other information as may be required by the State department of health.

REG. 17. Special reports by telephone or telegraph.—Any local health officer having knowledge of a case or suspected case of—

Anthrax.
Cholera, Asiatic.
Glanders.
Leprosy.

Plague.
Smallpox.
Typhus fever.
Yellow fever—

shall immediately report such case to the office of the State commissioner of health by telephone or telegraph; and having knowledge of a case, or suspected case, of—

Cerebrospinal meningitis.
Diphtheria.
Dysentery, amebic.
Dysentery, bacillary.
Encephalitis, epidemic.

Paratyphoid fever.
Poliomyelitis.
Scarlet fever.
Septic sore throat.
Typhoid fever—

shall, when such case resides on, or is connected with, any farm, dairy, or other

establishment where milk, cream, or ice cream is produced or handled, and the products therefrom are sold or consumed elsewhere than within his jurisdiction, immediately report to the State commissioner of health, giving the name and location of such farm, dairy, or establishment and the place or places where said products are sold or consumed.

REG. 18. *General measures for control of communicable diseases.*—The local health officer, in instituting measures for the control of communicable disease,

(a) Shall make, or cause to be made, such investigation as may be necessary for the purpose of securing data regarding contacts and, if possible, the time, place, and source of infection.

(b) Shall establish and maintain quarantine, isolation, or such other measures for control as required by statute, the sanitary code, or special instructions of the State department of health.

(c) Shall provide, directly or indirectly, for the instruction of persons affected and their attendants, in the proper methods of concurrent disinfection.

(d) Shall make, at intervals during the period of communicability, inquiry or investigation to satisfy himself that the measures instituted by him for the protection of others are being properly observed.

(e) Shall introduce such other measures, consistent with the sanitary code and the instructions of the state department of health, as may be deemed advisable because of widespread infection or threatened epidemic.

REG. 19. *General measures for control of presumably communicable disease.*—It shall be the duty of the health officer on receiving a report of a disease presumably communicable to confer with the physician or other person making such report, make further examination or investigation as he deems necessary, and advise, recommend, or establish such isolation measures as may be necessary to protect public health until the character of the disease is definitely determined.

REG. 20. *Methods of isolation of certain diseases.*—The local health officer upon receiving a report of a case of any of the diseases designated in this regulation shall promptly institute and maintain control during the period of communicability by the method hereinafter designated:

(a) When the disease is—

Anthrax.
Cholera, Asiatic.
Glanders.
Leprosy.

Plague.
Typhus fever.
Yellow fever—

the premises where such disease exists shall be placarded and all occupants and frequenters of the same shall be quarantined until specific directions are received from the State commissioner of health.

(b) When the disease is—

Diphtheria.
Poliomyelitis.

Scarlet fever.
Smallpox—

the apartment or premises where such disease exists shall be placarded and the affected person and attendants shall be isolated and quarantined therein.

(c) When the disease is—

Cerebrospinal meningitis.
Chickenpox.
Dysentery, amebic.
Dysentery, bacillary.
Encephalitis, epidemic.
Influenza.

Measles.
Paratyphoid fever.
Pneumonia, lobar.
Septic sore throat.
Typhoid fever.
Whooping cough—

the room or apartment where such disease exists shall be placarded and the affected person shall be effectively isolated without quarantine.

(d) When the disease is—

Conjunctivitis (infectious).
Favus.
German measles.

Mumps.
Rabies.
Trachoma—

the person affected shall be subjected to restriction of movement, without placard of the room or premises and without quarantine.

(e) When the disease is—

Gonorrhea.
Syphilis.

| Tuberculosis.

the person affected shall when necessary be isolated or restricted in accordance with statute law and specific regulations in this chapter of the sanitary code: *Provided,*

(1) When a case of any of the diseases mentioned in this regulation is under hospital care satisfactory to the health officer, quarantine restrictions and placard may be omitted.

(2) After the acute stage of whooping cough afflicted persons wearing a yellow band on the left arm will be allowed the use of highways and parks under restrictions designated by the local health officer.

(3) When two or more rooms in any house are considered by the health officer to be satisfactory for the isolation of—

Diphtheria.
Poliomyelitis.

| Scarlet fever—

they may be considered as an apartment.

(4) When a health officer finds the methods designated ineffective in maintaining proper control of any individual case of communicable disease, he may quarantine and placard or employ such other measures as are proper for the protection of public health, reporting such action to the State commissioner of health.

REG. 21. *Methods of isolation of contacts.*—It shall be the duty of the health officer to control contacts, and in instituting measures for the control of contacts of—

Cerebrospinal meningitis.
Chickenpox.
Diphtheria.
Encephalitis, epidemic.
Measles.

Mumps.
Poliomyelitis.
Scarlet fever.
Smallpox.
Whooping cough—

he shall isolate or restrict the movements of such contacts in the manner prescribed for the disease to which the contact has been exposed for a period of time equivalent to the maximum period of incubation of said disease, except where laboratory methods determine the absence of the infective agent at an earlier date. The health officer may modify the restrictions required for contacts when such contacts are known to be immunes, and he may ordinarily consider adult contacts of chickenpox and whooping cough as immunes. (See Reg. 14.)

REG. 22. *Presumably exposed persons may be examined and controlled.*—When a health officer has reasonable grounds to believe that a person or persons may have been exposed to a communicable disease, he may control them as known contacts, making such examinations and adopting such measures as he deems necessary and proper for the protection of public health and the prevention of the spreading of disease.

REG. 23. *Methods of isolation of carriers.*—Carriers of the infectious agent of—

Cholera, Asiatic.
Dysentery, bacillary.

| Paratyphoid fever.
Typhoid fever—

shall be controlled by isolation or restriction of movement until repeated examinations of excreta show the absence of the infectious agent.

Carriers of the infectious agent of diphtheria shall be isolated until two successive cultures from both the nose and throat have been secured. (See Reg. 14, Note 2, and Reg. 15, Note 1.)

Carriers of the infectious agent of cerebrospinal meningitis shall be isolated until examination of the nasal and throat discharges shows the absence of the specific diplococcus. (See Reg. 14, Note 3.)

REG. 24. *Removal to hospital of certain cases.*—When in the opinion of the health officer or the State commissioner of health proper isolation or quarantine of an affected person or persons, carrier, or contact is not, or can not be, effectively maintained on the premises occupied by such person or persons by methods designated in this chapter, he may remove or require the removal of such person or persons to a hospital or other proper place designated by him; or he may employ such guards or officers as may be necessary to maintain effective isolation or quarantine.

REG. 25. *Health officer to give specific instructions.*—It shall be the duty of the local health officer or other health authority, in instituting measures for the control of communicable diseases, to supply, directly or indirectly, such information and literature as may be required by law and the instructions of the State department of health, and when possible to issue instruction and orders in writing or on printed forms. Quarantine notices and placards should be so placed as to effectively warn and protect.

REG. 26. *Use of milk and water containers restricted.*—It shall be the duty of the health officer in charge of a case or suspected case of—

Cerebrospinal meningitis.
Diphtheria.
Dysentery.
Encephalitis, epidemic.
Scarlet fever.

Septic sore throat.
Smallpox.
Paratyphoid fever.
Poliomyelitis.
Typhoid fever—

to forbid the return of milk or water containers to the distributor when such containers have been within a quarantined area, or have been handled or presumably handled by anyone in attendance upon a person affected, or believed to be affected, with any one of the diseases mentioned, until the termination of the disease or the removal of the patient, at which time empty containers may be returned after being sterilized by boiling water or live steam, or in any other manner satisfactory to the health officer.

REG. 27. *Food and food handlers restricted.*—When a case of any of the diseases mentioned in the preceding regulation or a case of tuberculosis, gonorrhea, or syphilis, occurs on the premises where milk or food is produced, kept, handled, or sold, it shall be the duty of the health officer to institute such measures as he deems necessary to prevent the spread of such disease and to protect such foods from being contaminated; and he shall require all uninfected persons who reside on premises where any such disease exists, and who handle milk or food elsewhere, to remain away from such premises so long as the disease is present.

REG. 28. *Concurrent disinfection.*—It shall be the duty of the physician in attendance on any case or suspected case of—

Cholera, Asiatic.
Dysentery, amebic or bacillary.

Paratyphoid fever.
Typhoid fever—

to give detailed instructions to the nurse or other person in attendance in regard to the disinfection and disposal of the urine and bowel discharges; and it shall be the duty of the physician in attendance on any case or suspected case of—

Cerebrospinal meningitis.
Diphtheria.
Encephalitis, epidemic.
Measles.
Pneumonia, lobar.

Poliomyelitis.
Scarlet fever.
Septic sore throat.
Smallpox.
Whooping cough—

to give detailed instructions to the nurse or other person in attendance in regard to the disinfection and disposal of the discharges from the nose and mouth and any suppurative discharges or lesions which may occur.

Such instructions should be given on the first visit and should conform to the special rules and regulations of the State department of health. It shall be the duty of the nurse or person in charge to carry out the disinfection in detail until isolation is terminated by the local health officer.

REG. 29. *Terminal disinfection.*—It shall be the duty of the health officer, when a case of communicable disease ceases to be infectious or after the death or removal of such case, to institute and have properly executed such terminal disinfection and cleansing as may be necessary as an added precaution, but terminal disinfection should in no case be employed as a substitute for concurrent disinfection.

Cleansing with soap and water, sterilization with boiling water or steam, and the use of antiseptic solutions should be employed where practicable.

Renovation may be required in certain cases.

Fumigation alone should not be depended upon and should rarely be employed except in insect-borne diseases.

REG. 30. *Measures for control in schools.*—It shall be the duty of the health officer in the event of an outbreak of a communicable disease in any public, private, parochial, or Sunday school to make a prompt and thorough investigation and to control such an outbreak by individual examination of pupils and teachers and by taking of cultures or by employing such other means and assistance as he deems necessary to determine the source of infection and to permit the segregation of infected persons.

When any school child has been affected with, or is a carrier of, a communicable disease, or has been excluded from school because of having been in contact with a communicable disease, it shall be the duty of the health officer to issue to such child a permit to reenter school when in his opinion such child is no longer infectious.

In the event of an outbreak of a communicable disease in any school, school physicians and school nurses must conform to the orders, regulations, and restrictions imposed by the local health officers.

REG. 31. *General measures for controlling carriers.*—In the event of the epidemic prevalence of a communicable disease, and a written declaration to that effect having been made by the State commissioner of health, it shall be the duty of any common carrier operating within the State, or on the waters thereof, to strictly comply with an order issued by the State commissioner of health for the purpose of preventing the introduction into the State, or the transmission from one point to another within the State, of any person or persons, animals, insects, or materials liable to convey the disease.

REG. 32. *Observance of quarantine and instructions.*—Every person who is affected with a communicable disease, who is a carrier of the germs of a communicable disease, or who is suspected of having come in contact, directly or indirectly, with a case of communicable disease, shall strictly observe and comply with all orders, quarantine regulations, and restrictions given or imposed by the local health authority or the State commissioner of health, in conformity with law.

REG. 33. *Invasion of quarantine areas and needless exposure to others.*—No person other than the attending physicians and authorized attendants shall enter, and no one shall permit any other person to enter, any room, apartment, or premises quarantined for a communicable disease, nor shall any person needlessly expose a child or other person to a communicable disease.

No person shall remove any article from a quarantined area without the permission of the health authority.

REG. 34. *Duty of health officer when infected persons leave his jurisdiction without permission.*—It shall be the duty of the local health officer to immediately report to the State commissioner of health by telegraph or telephone the name, address, probable destination, and route of departure of any person who is affected with, or has presumably been exposed to, any one of the following diseases and who has left his jurisdiction without his consent:

Anthrax.
Cholera.
Diphtheria.
Glanders.

Leprosy.
Plague.
Poliomyelitis.
Scarlet fever.

Smallpox.
Typhoid fever.
Typhus fever.
Yellow fever.

REG. 35. *Method of control of tuberculosis.*—When a licensed physician or hospital superintendent reports a case of tuberculosis and agrees to assume the responsibility for the proper instruction of the patient and the taking of measures necessary for the protection of others, the health officer need not take action other than prescribed by chapter 79, Public Acts, 1919.

Every physician thus assuming the control of a case of tuberculosis shall report to the local health officer on or before the first day of each month, stating whether or not such case is still under his care, and if such report is not made, the health officer shall investigate and take such measures as he deems necessary for the protection of public health.

When a physician or hospital superintendent declines to assume such responsibility, it shall be the duty of the health officer to supply the afflicted person with printed instructions and take such other action as may be necessary and proper for the protection of public health.

REG. 36. *Control of refractory person affected with tuberculosis.*—When it comes to the attention of a health officer that a person is affected with tuberculosis and is a menace to the public health or is liable to jeopardize the health of any person or persons in or on the premises occupied or frequented by the affected person, he shall immediately investigate and take proper measures to prevent the spread of such disease for the protection of public health, and if necessary may cause the removal of such person to an isolation hospital or other proper place, there to be received and kept until he shall no longer be a menace to the public health.

REG. 37. *The control of venereal diseases.*—When any physician or hospital superintendent reporting a case of gonorrhea or syphilis agrees in writing to assume the responsibility for the proper instruction of the patient, the health officer shall supply such physician or hospital superintendent with printed instructions for such patient.

It shall be the duty of the physician or hospital superintendent who has thus signified his willingness to assume control of such patient, to report to the local health officer on or before the first of each month a statement to the effect that such patient is or is not still under his care. When such patient neglects or refuses to follow the prescribed instructions, discontinues treatment, or is discharged as cured, the physician or superintendent shall immediately notify the health officer.

In investigating cases or suspected cases of the above mentioned diseases, the health officer shall treat all information as confidential, but such course shall not preclude the making of reports to the State department of health.

REG. 38. *Control of careless or refractory persons affected with venereal diseases.*—When it comes to the attention of a health officer that a person [is] suffering or presumably suffering from gonorrhea or syphilis in an actively contagious form and is liable to jeopardize the health of any person or persons in or on the premises occupied or frequented by the affected person, he shall immediately investigate and take proper measures to prevent the spread of such disease for the protection of public health, and he shall direct such person to report regularly for treatment to a licensed physician or to a public clinic, if facilities for clinical treatment are available, there to be treated until such person is free from infectious discharges. If such person in the opinion of the health officer is a menace to public health, it shall be the duty of the health officer to order the removal of such person to an isolation hospital or other proper place, there to be received and kept until he shall no longer be a menace to public health; or to adopt such other measures as may be necessary to protect the public health.

REG. 39. *Examinations by approved laboratories may be required.*—When the control or release of a case, contact or carrier of a communicable disease is dependent upon laboratory findings, the health officer may require such findings to be obtained by the State department of health laboratory or a laboratory approved by the State department of health. The health officer shall by himself or his agent secure and submit final cultures or specimens for examination.

REG. 40. *Laboratories must register; approved laboratories.*—Every person, firm, or corporation operating or maintaining a laboratory in which body fluids, secretions, or excretions are examined for the determination of presence or absence of an infectious agent in the material examined or in the person or animal from which it was secured, shall register annually with the State department of health giving the name of such laboratory, its location, and the name of the person or persons owning or operating the same. Laboratories operated by physicians for their personal convenience need not register.

Laboratories which, after inspection, are found to conform to the standards required by the State department of health will be given a certificate of approval and such laboratories will thereafter be designated as approved laboratories.

REG. 41. *Laboratories must report positive findings.*—Every physician or person who makes an examination of any body fluid, secretion or excretion, and finds evidence indicating the probable existence of a communicable disease in the body from which the fluid, secretion or excretion was obtained, shall report within 12 hours of such finding to the local health officer of the town from which such specimen or culture was obtained, giving the name and address of the person or persons for whom such examination or test was made.

REG. 42. *Druggists and others must report sales of antitoxin.*—The owner or manager of every drug store and every other person who sells or distributes diphtheria antitoxin or antimeningitic serum shall immediately record such transaction in a book kept for that purpose and also report to the local health officer within 12 hours, giving the amount of the antitoxin or serum sold or distributed and the name of the person to whom delivered. Such record books shall be open to the inspection of health officers at all reasonable hours.

REG. 43. *Duty of health officer to quarantined persons in need.*—When a person under quarantine is, in the opinion of the health officer, unable to obtain medical care, food or other actual necessities, it shall be the duty of the health officer to report his findings to the proper town, city, or borough authority. Should such town, city, or borough authority fail at once to supply the needed care, it shall

be the duty of the health officer to supply such quarantined person with medical attention, food, and other actual necessities and the expense incurred in performing such duty shall constitute a legal expense of the health officer.

REG. 44. *Undertaker to report deaths from communicable diseases.*—Within 12 hours after being called to take charge of a body dead of a communicable disease, the undertaker shall report the case to the local health officer, and he shall prepare such body for burial in accordance with the regulations of the State department of health.

REG. 45. *Funerals of those dead of certain communicable diseases.*—Funerals of those dead of—

Cerebrospinal meningitis.	Leprosy.	Septic sore throat.
Cholera, Asiatic.	Paratyphoid fever.	Smallpox.
Diphtheria.	Plague.	Typhoid fever.
Encephalitis, epidemic.	Poliomyelitis.	Typhus fever—
Glanders.	Scarlet fever.	

when conducted in or on the premises where such deceased person died shall be attended only by the members of the immediate household, the clergyman, and the undertaker with his assistants; when held from a place other than where such person died, the health officer may, if the body has been embalmed and is permanently inclosed to his satisfaction, permit a public funeral, provided such persons as may be carriers of the infection by reason of contact shall be forbidden to attend such funeral. Bodies dead of the diseases mentioned, if not embalmed, must be buried within 24 hours.

REG. 46. *Unusual conditions to be controlled by the State department of health.*—When an unusual or rare disease occurs in any part of the State, or when any disease becomes so prevalent as to endanger the State as a whole, it shall be the duty of the health officer, upon request of the commissioner of health, to cooperate with the representatives of the State department of health acting under the direction of the State commissioner of health.

DELAWARE

Communicable Diseases—Disinfection. (Reg. Bd. of H., July 6, 1922)

That rule 7, Chapter I, be amended by adding thereto the following:

Disinfection referred to in this rule shall not involve the use of formaldehyde or other gas at the termination of the infectious or contagious diseases above enumerated, provided all articles used in the sick room such as bedding and clothing be immersed in a strong disinfecting solution such as a 1 to 1,000 solution of bichloride of mercury or boiling hot water before removal from the room. That books and papers and other articles of little value be burned; all discharges from the patient during sickness be removed in covered vessels containing either chloride of lime, carbolic acid or bichloride of mercury and the room thoroughly cleaned with soap and water.

These measures to be attended to by the nurse or member of the family attending to the patient, under the instruction of the attending physician. Quarantine to be maintained until above directions are complied with.

GEORGIA

State Tuberculosis Hospital—Cities, Towns, and Counties Authorized to appropriate Money for Use at—Regulations to be Made by State Board of Health concerning. (No. 566, Act Aug. 21, 1922)

SECTION 1. That from and after the passage of this act it shall be lawful for the towns, municipalities, cities, and counties of this State to appropriate and expend public moneys set apart as charity funds for the purpose of enlarging, maintaining, and operating hospital facilities at the State sanatorium for tubercular patients, at Alto, Banks County, Ga., and such sums of money appropriated or other property contributed shall be in addition to the moneys annually appropriated by the General Assembly of the State of Georgia for such purposes.

SEC. 2. That the State board of health shall make and enforce all necessary rules, regulations and requirements relative to the use and expenditure of the moneys appropriated under the terms of this act for the enlargement, maintenance and operation of the State sanatorium for tubercular patients.

SEC. 3. That the terms and conditions under which patients are to be accepted, as well as the direction, custody, discipline, and control of such patients, shall at all times be subject to such reasonable rules, regulations, and control as may be prescribed by the State board of health.

SEC. 4. That the additions and contributions to the said State sanatorium for tubercular patients shall at all times conform to and be expended and disbursed under rules and regulations prescribed and laid down by the State board of health.

Public Health—Certain Counties Authorized to Provide for the Protection of, by Contracting with Cities within the Counties or with Health Organizations. (No. 369, Act Aug. 11, 1922)

SECTION 1. That counties having a population of over 150,000, as determined by the present or any future census of the United States, be and they are hereby authorized and empowered to provide for public sanitation by contracting with any city within the county or with health and sanitary organizations for the protection of the public health and the detection, prevention, and cure of disease and for the general sanitary welfare of the public and to appropriate money therefor.

SEC. 2. That any such county may delegate authority to or contract with any city within the county or any health organization or a joint committee or board selected by said county and representing it and the said city and such organization to use such funds as may be appropriated by said county for the detection, prevention, treatment, and cure of disease and for the general welfare of the health of the public, and authority is hereby granted to such county to make appropriations of money for such purposes; it being the intent of this provision to enable such counties to appropriate from the funds of such counties money for the necessary sanitation of the county as herein provided.

SEC. 3. That said counties, with respect to all things herein mentioned, may act by and through their officers authorized to act in such matters, whether they be ordinaries, commissioners of roads and revenues, or any other officer or officers whatsoever; and said cities by and through their respective mayors and councils or other officer or officers authorized to act in such matters.

SEC. 4. That if any provision of this act shall be held to be unconstitutional, such provision alone shall be invalid, and other parts of this act shall be unaffected thereby and shall remain of full force and effect.

HAWAII

Tuberculosis—Physicians Required to Make Certain Reports Concerning Cases of. (Reg. Bd. of H., Apr. 26, 1922)

That it is hereby ordered that every physician having a case of pulmonary tuberculosis under his care be required to notify the board of health once a month on cards furnished for that purpose, if patient still resides at the original address given; if not, of any change of address of such patient in order that the premises vacated may be properly disinfected by the department.

And it is further ordered that every physician be required to notify the board of health in the same manner whenever a case of pulmonary tuberculosis passes from his professional care, or fails to observe the necessary sanitary precautions, in order that the department may assume surveillance of such case.

School-Teachers—Health Certificates Required of, Annually. Pupils—Medical Examination and Vaccination of. (Reg. Bd. of H., Sept. 20, 1922)

SEC. 126. The teachers of all public and private schools shall, within 21 days after the opening of the annual school term, provide themselves with certificates signed by some duly licensed and competent physician as to their freedom from any contagious, infectious, or other communicable disease. Such certificate shall be upon forms approved by the board and shall be issued in duplicate by the physician to each teacher; the original certificate shall be immediately forwarded by the teacher to the Territorial board of health at Honolulu and the duplicate thereof shall be retained by the teacher for exhibition to the principal of the school and (or) to the supervising principal of the district. For the protection of the public health this certificate will be required as a condition upon which teachers may retain their connection with the public and private school service and must be renewed annually.

Physicians appointed by the board will visit each public school in their district as soon after the commencement of the annual school year as may be convenient for the purpose of making the necessary medical examinations and of vaccinating the pupils of each public school. Notice of the time and place in and where such vaccinations will be performed will be published in some newspaper of general circulation in the district or county where such schools are situated.

Every private school throughout the Territory is required to furnish to the Territorial board of health, within one month after the commencement of the annual school term, a certificate signed by some duly licensed and competent physician showing that all the pupils attending such private schools have been medically examined. This certificate shall also show the names and addresses of all such pupils of such private schools who are suffering from any contagious, infectious, or other communicable disease and the names and addresses of all such pupils who have not been vaccinated.

ILLINOIS

Tuberculosis—Reports of Cases—"Open Cases" Defined—Hospitalization or Isolation and Placarding in Certain Cases—Precautions to Prevent Spread—Inspection of Home of Patient—Sputum Examinations—Removal of Cases—School Attendance—Employment in Schools of Open Cases Prohibited—Handling and Sale of Food—Disinfection. (Reg. Dept. of Public H., Effective Dec. 1, 1922)

RULE I. Reports.—Every physician,¹ laboratory director, nurse or other attendant, superintendent of any hospital, asylum, orphanage, jail, or similar institution, teacher in any school, proprietor or manager of any business, hotel lodging or boarding house, parent, guardian, householder, or any other person having knowledge of a known or suspected case² of tuberculosis, shall immediately report such known or suspected case of tuberculosis in writing or by telephone to the local health authority.³ Every case reported by telephone shall be followed with a written report within 12 hours. Upon receipt of such report the local health authority shall within 12 hours forward copy of the same to the Illinois Department of Public Health, Springfield, Ill. Every case developing on the premises subsequent to the first reported case shall likewise be reported.

RULE II. Information to be given in report to health authorities.—The written report of a known or suspected case of tuberculosis, required by these rules, shall set forth at least the following information: (1) Place and date of report; (2) name, exact address, age, sex, color, and occupation of the diseased person; (3) number of children and adults in household; (4) school attended or place of employment, giving names of employers and mentioning particularly any engaged in handling milk or foodstuffs; (5) type of disease; (6) date of onset of illness; (7) precautions taken to prevent spread of infection; (8) name and address of person making the report.

RULE III. Isolation of open cases.—The term "open cases" of tuberculosis as employed in these rules and regulations shall apply to the following types of cases:

(1) All cases of pulmonary tuberculosis or consumption who produce sputum containing tubercle bacilli.

(2) All cases of tuberculosis other than the pulmonary form in which the tubercle bacilli are found in the discharge from the diseased process.

(3) All known cases of pulmonary tuberculosis or consumption, until three specimens of sputum which are negative to tubercle bacilli, have been submitted at weekly intervals for three consecutive weeks and examined in a laboratory recognized by the Illinois Department of Public Health.

¹ Every physician attending a case of pulmonary tuberculosis or consumption should advise the patient and the members of the family and household as to the nature of the disease and as to the means whereby infection may be avoided, especially as to the isolation of "open cases" of tuberculosis, the proper disposal of sputum, the control of cough, and the avoidance by healthy persons of the use of articles that have been used by the person having tuberculosis.

² Suspect cases of tuberculosis shall be considered as having active tuberculosis until they have been definitely proven to be non-tuberculous by physical examinations and such recognized laboratory methods as are considered essential by the director of public health or his local representative.

³ The term "local health authority" as employed in these rules shall be understood to mean the local health officer, or health commissioner, or the board of health, as the case may be.

(4) All known cases of pulmonary tuberculosis or consumption in which a positive sputum has been obtained shall be considered as "open cases" for at least a period of three months, and thereafter, until three successive specimens of sputum, collected at intervals of one week, shall have been found to contain no tubercle bacilli upon examination at a laboratory recognized by the Illinois Department of Public Health, the physical examination of the patient indicating that the type of tuberculosis present in the patient be such as would coincide with the findings of a negative sputum.

All "open cases" of tuberculosis, in the care of which the necessary precautions to prevent conveyance of the infection to others directly or indirectly as detailed in Rule IV are not being taken by the patient or attendant, shall be hospitalized if hospital facilities for this class of patients are available or shall be effectively isolated from all persons except the necessary adult nurse or attendant and the isolation quarters appropriately and conspicuously placarded until such time as satisfactory assurance can be given that these precautions will be strictly observed thereafter.

RULE IV. Precautions.—No person suffering from active or open tuberculosis, as defined in Rule III, shall occupy the same room as a bedchamber or sleeping room with any other person or persons unless such person or persons are suffering also from the same form of tuberculosis. This rule does not however apply to well adult persons acting as nurse or attendant under the direction of a legally qualified physician.

The sputum raised and ejected by a tuberculous person or consumptive shall be destroyed or rendered sterile (a) by removing the sputum from the mouth by means of tissue paper, paper napkin, or clean cloth and subsequently burning such paper or cloth, or (b) by depositing the sputum in a paper or cardboard sputum cup or container and subsequently burning the container without using same after it has once been emptied of sputum, or (c) by depositing the sputum in glass, china, porcelain, or metal sputum cups or sputum flasks which are to be emptied only after being treated with a strong solution of carbolie acid, lysol, bichloride of mercury, or some other efficient disinfectant. In case a glass, china, porcelain, or metal sputum cup or flask is employed, either as holder or sputum cup directly, it should be cleansed after use with a strong disinfectant or boiled for a period of not less than 15 minutes.

A tuberculous person or consumptive shall not spit upon floors, streets, walks, or other public or private places, nor should such person use spittoons or dispose of his sputum in any other way than as prescribed heretofore.

A tuberculous person or consumptive shall not cough without covering his mouth with paper, cloth, or other material, which paper, cloth, or material should be promptly burned.

No child under 16 years of age shall be accepted as a patient in any general hospital or institution for the care of the sick if such hospital or institution accepts as patients "open cases" of tuberculosis, unless such open cases of tuberculosis are housed in a separate and distinct division of the hospital and cared for in such a way that children while being treated in such hospital or institution will not be exposed to this disease.

No person suffering from open tuberculosis or consumption, as defined in Rule III, shall engage in nursing, attendance, or care of children or sick persons.

No child under the age of 16 years shall live in the same home, apartment, or other place of abode or habitation occupied by a person suffering from active or open pulmonary tuberculosis (consumption) unless proper precautions are being observed as required by this rule (Rule IV), and unless there is no contact

between the person suffering from active or open pulmonary tuberculosis and other members of the family.

It is the duty of the local health authority to enforce the observance of these precautions by persons suffering from active or open tuberculosis or consumption. He shall ascertain whether the precautions required to be taken are thoroughly understood by patient, attendant, and members of the household and should place in the hands of the patient, or person responsible for the care of the same, a copy of these rules and regulations.

RULE V. Inspection—Sputum examinations.—It shall be the duty of the health authority, upon receiving a report of a case of pulmonary tuberculosis or consumption, to visit and inspect or to cause to be visited and inspected by a duly authorized and competent agent, at such intervals as are practicable and necessary, the home of the patient to satisfy himself that reasonable precautions are being taken for the protection of the public and of the members of the household.

Likewise it shall be the duty of the local health authority, from time to time during the illness of the patient, to cause specimens of sputum to be submitted to him and to cause the same to be examined at a laboratory recognized by the Illinois Department of Public Health, for the purpose of determining whether or not the patient is to be regarded as an "open case" of pulmonary tuberculosis or consumption. These sputum specimens are to be submitted at intervals of at least three months.

RULE VI. Removals.—No persons suffering from active tuberculosis shall be removed from the premises on which found unless consent to such removal be first obtained from the local health authorities, or from the Illinois Department of Health.

No person suffering from active tuberculosis shall be removed from any city, village, township, or county in which found unless consent to such removal be first obtained from the health authorities of the jurisdiction from which and to which removal is contemplated.

It is the duty of the owner or agent of any premises in which a patient suffering from active open tuberculosis or consumption has resided to promptly notify the local health officials of the death or removal of the tuberculous person or consumptive, and such owner or agent shall not rent, lease, or sell such premises or permit same to be occupied by any other person or persons than the family or household of the tuberculous person or consumptive until the premises have been disinfected as hereinafter provided.

RULE VII. Exclusion from schools.—No person suffering from an active form of tuberculosis as defined in Rule III shall be employed as a teacher* in any school nor shall such a tuberculous or consumptive person be employed or be permitted to serve in any capacity in or about a school building.

No child or young person suffering from an active form of tuberculosis shall be permitted to attend school or mingle with other well children in or about school buildings or elsewhere.

RULE VIII. Sale of milk, groceries, and provisions.—Whenever an open case of tuberculosis or consumption is found to exist on premises where milk or other drinks, groceries, vegetables, meats, or other foodstuffs are either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever of any milk or other drinks, cream or other milk products, groceries or vegetables, meats or other foodstuffs, is strictly prohibited until the case is terminated by arrest of the disease or by removal or death and the premises have been thoroughly

*It is recommended that school authorities require an annual physical examination of teachers employed, including a thorough chest examination. Only by such a procedure can teachers with early tuberculosis be detected with certainty.

disinfected, provided that when, in the opinion of the health officer, based upon personal inspection of the premises, the individual suffering from active open tuberculosis or consumption is so isolated that he does not come in contact with any milk, cream or other milk products, drinks of any kind, groceries, vegetables, meats, or other foodstuffs, offered for sale, barter, exchange, or distribution and does not come into the room or rooms in which such drinks or foodstuffs are stored, held, or offered for sale, barter, exchange, or distribution, and where all other precautionary measures are carried out in such a way as to safeguard the public and the members of the household, the health officer may, at his discretion, modify the provisions of this paragraph.

A person suffering from tuberculosis will not be permitted to engage in any manner in the handling or preparation of foodstuffs, milk or milk products, drinks of any kind, groceries, vegetables, or meats until it has been ascertained that such person is not an open case and is in no danger of spreading the infection.

RULE IX. Disinfection.—Upon the termination of the illness of a person suffering from active open tuberculosis or consumption by reason of the arrest of the disease, by death or by removal to other premises, the room or rooms that have been occupied by said tuberculous or consumptive person shall be thoroughly cleansed and disinfected. The amount and character of the preliminary measures which may be necessary before the actual disinfection is attempted depends on circumstances and conditions. If all the necessary precautionary measures have been taken by the patient and attendant, ordinary cleaning and disinfection of the sick room, [and] its contents, including utensils used for or by the patient, will suffice.⁵

However, if the necessary precautionary measures have not been taken, a thorough renovation of the sick room and other parts of the premises contaminated through ignorance, indifference, carelessness or neglect must be carried out. This renovation includes washing down walls with a suitable disinfecting solution followed by calcimining, papering, or painting as desired and practicable. Floors, woodwork, etc., should be thoroughly scrubbed with plenty of hot water and soap and this may be followed advantageously by use of a liquid disinfectant solution. Dishes, clothing, beds, etc., must be sterilized by boiling or immersion for one hour in a 5 per cent carbolic acid solution or a 3 per cent cresol solution. Fabrics which will be injured by boiling or by disinfection may be disinfected by fumigation with formaldehyde gas. This can be simply done as follows:

Take an empty wash boiler, tight box, or trunk; on the bottom place plain paper loosely crumpled and over this lay loosely an article, cover with an old towel, and sprinkle thereon two tablespoonfuls of 40 per cent formaldehyde solution. Then put in another article, cover as before, and again sprinkle with two teaspoonfuls of formaldehyde solution. The container may be filled in this manner. Finally, tightly cover or close and in 10 hours open, remove articles and hang out in the air.

Gaseous disinfection is not recommended for use in fumigating rooms for the reason that this method of disinfection as ordinarily carried out is not effective. Exposure of the sick room and contents to air and sunlight will accomplish as much as fumigation as usually performed.

⁵ Where the tuberculous or consumptive person gives sufficient evidence of sputum negative to tubercle bacilli and is domiciled temporarily for a few days only on premises which are new or have been recently thoroughly renovated, a thorough cleaning and airing of the same will suffice providing adequate care has been taken to properly dispose of sputum, boil bed linen, etc., and expose room and contents thereof to air and sunlight.

RULE X. Repeal—Effective date.—The rules for the control of tuberculosis heretofore promulgated and effective on and after August 1, 1917, and as revised June 1, 1918, shall on the effective date of this order be repealed and held for naught, except that cases reported and then pending shall be disposed of in accordance with these revised rules. These rules shall be in force and effect on and after the 1st day of December, 1922.

Trachoma—Reports of Cases—Isolation—Placarding—Advice to be Given Patient and Members of Household—Precautions to Prevent Spread—Investigation of Cases—Removal of Cases to Other Health Jurisdictions—Attendance at Schools and Gatherings. (Reg. Dept. of Public H., Effective June 1, 1922)

RULE 1. Reports.—Every physician, nurse, or other attendant, superintendent of any hospital, asylum, orphanage, jail, or similar institution, teacher in any school, proprietor of any drug store, hotel, lodging or boarding house, parent, guardian, householder, or any other person having knowledge of a known or suspected case of trachoma, shall, within 12 hours of such knowledge of such known or suspected case of trachoma coming to his notice, report the same in writing or by telephone to the local health authority. Every case reported by telephone shall be followed by a written report within 12 hours. Upon receipt of such report the local health authority shall within 12 hours forward a copy of the same to the Illinois Department of Public Health, Springfield, Ill. Every case developing on the premises subsequent to the first reported case shall likewise be reported.

If the municipality has no health officer, reports must be made to the mayor of the city, president of the village, or the official designated by ordinance to receive the same.

Cases occurring in territory outside of the limits of a municipality must be reported to the person designated by the rules of the township or the county board of health to receive such reports, or if there be no such person designated, reports must be made to the supervisor of the township or, in counties not under township organization, to the county board of health.

RULE 2. Information to be given in report to health authorities.—The written report of a known or suspected case of trachoma, required by these rules, shall set forth at least the following information: (1) Place and date of report; (2) name, exact address, age, sex, color, and occupation of the diseased person; (3) number of children and adults in household; (4) school attended or place of employment, giving names of employers and mentioning particularly any engaged in handling milk or foodstuffs; (5) type of disease; (6) date of onset of illness; (7) precautions taken to prevent spread of infection; (8) name and address of person making the report.

RULE 3. Isolation.—Unless the person suffering from trachoma is under the care of a physician and complies with the rules governing the control of this disease, he shall be isolated and the premises conspicuously placarded during the persistence of the inflammation of the conjunctiva and discharges therefrom.

RULE 4. Advice to be given to patient and contacts—and by whom.—The attending physician should advise the patient, the patient's family, and any other members of the household, of the nature of the disease, the means whereby the spread of infection may be avoided and of the provisions of these rules. It is, however, the duty of the local health authority to impart this information and advice, or provide for the same through a deputy, to the persons specified above, and responsibility for discharge of this duty can not be evaded by health authorities.

RULE 5. *Minimum precautions to be observed.*—At least the following precautions must be observed: Patients must wash their hands frequently and as often as their hands become soiled by discharges from the eyes. An ample supply of towels, basins, water, and an approved disinfectant must always be on hand for the disinfection of the hands of the patient.

All discharges from the conjunctiva shall be received in cloths or paper and immediately destroyed by burning. Such cloths or paper may be kept in paper bags until the bag and contents can be destroyed by burning. Towels, handkerchiefs, etc., which can not be burned shall be disinfected by boiling for 20 minutes or immersion for 10 minutes in a 3 per cent cresol solution.

RULE 6. *Investigation of case.*—The local health authority shall make diligent investigation as to the source or sources of infection of all cases of trachoma reported to him. If the source or probable source is discovered, the Illinois Department of Public Health shall be immediately apprised of the facts. However, in no case shall the original report of a case of trachoma be delayed by reason of such investigation.

RULE 7. *Removals.*—No person having trachoma in its communicable stage shall move, or be moved, from one health jurisdiction to another without first securing permission to do so from the local health authorities of the place from which and to which removal is to be made, or from the Illinois Department of Public Health. Such permission may be granted under the following conditions:

(1) Removal can and will be made without endangering the health of others, either in transit or at destination.

(2) Patient agrees to report in person to the local health authority immediately on arrival at destination, or agrees to place self under care of a reputable physician who shall report the presence of such patient to the local health authority.

In the event that it is necessary for a patient to go at intervals from one health jurisdiction to another for treatment the permit issued in accordance with the foregoing provisions may authorize such necessary and frequent removals; one permit and one report to the local health officer at destination being sufficient under such circumstances.

RULE 8. *Exclusion from school, public and private gatherings.*—No person suffering from trachoma in its communicable stage shall be permitted to attend any public, private, or parochial school or any public gathering until there is no longer any discharge from the eyelids. Readmittance at school must be by certificate, as specified in the following paragraph.

It shall be the duty of the principal or any other person in charge of any private, public, parochial, or Sunday school to exclude therefrom any child, teacher, or other person afflicted with trachoma until such child, teacher, or other person afflicted with trachoma shall have presented a certificate issued by the local health authority, if he be a physician, or by the attending physician, countersigned by the local health authority certifying that such child, teacher, or other person is noninfectious.

Effective date.—The foregoing rules for the control of trachoma shall be in force and effect from and after June 1, A. D. 1922.

Venereal Diseases—Reports of Cases—Repression of Prostitution—Records and Reports by Druggists—Reports to be Confidential—Circular of Information to be Given Patient—Treatment—Laboratory Examinations—Reports by Laboratories of Positive Findings—Exposure of Others by Infected Person Unlawful—Isolation—Quarantine—Placarding—Prohibited Occupations—Control Measures—Examination of Suspected Cases—Duties of Health Authorities—Issuance of

Certificates showing Freedom from Infection—Removal of Cases to Other Health Jurisdictions—Examination and Treatment of Inmates of Penal, Correctional, and Charitable Institutions—Terms Defined. (Reg. Dept. of Public H., Effective Nov. 1, 1922)

RULE 1. Venereal diseases dangerous to public health.—The department of public health finds that the diseases commonly known collectively as the venereal diseases and individually as syphilis, gonorrhea and chancroid, are contagious, infectious, communicable and dangerous to the public health.

RULE 2. Prostitution a prolific source of venereal diseases.—Prostitution is hereby declared to be a prolific source of venereal diseases and the repression of prostitution is hereby declared to be a public-health measure. All local health officers will give full support to the police department and the morals commission in their efforts to control prostitution.

RULE 3. Venereal diseases to be reported—By and to whom.—Every physician, drugless healer, nurse, attendant, druggist or pharmacist, dentist, superintendent or principal directing officer of a hospital, jail, house of correction, asylum, home or similar institution, or other person having knowledge of a known or suspected case of venereal diseases, shall, within 24 hours of such knowledge of such known or suspected case coming to his notice, report the same to the local health authorities, except that in cities, towns and villages of 5,000 population or less not having a full time medical health officer, the physician or other person making the report may report directly to the local health officer or to the Illinois Department of Health. Such cities, towns, or villages with a full time medical health officer shall report directly to the local health officer.

RULE 4. Contents of report.—Such reports shall, except as otherwise herein-after provided, state the name, address, age, sex, color, marital condition, and occupation of the infected person.

It shall give the nature of his disease, its duration, the name and address of the person who is the probable source of infection, and any other pertinent information as to this person; the nature, the date of onset, and other pertinent information as to all prior infections with any venereal disease; the names and addresses of persons he may have exposed since the beginning of this infection, and such other information as may be deemed necessary by the State or local health authorities.

RULE 5. When certain information may be omitted from report.—The correct name, explicit address of the diseased person and the name and address of the employer of the diseased person may be omitted from the report under the following circumstances, and none others:

(1) If the physician or institution giving treatment agrees definitely in writing on a form provided for the purpose to assume responsibility that the infective case or carrier will not cohabit with or otherwise infect others.

(2) If the physician or institution assuming responsibility keeps the name and address and key number in serial order in a private record book open to periodic inspection by the State and local health authorities, but by no one else; keeps records of prescriptions given and dates, treatments given and dates, and disposition of the case; shows that proper instruction is given as to infectivity of venereal diseases; shows that inquiry is made as to conduct of such patient in all matters that relate to infecting others; shows that the subject is diligently following all directions and obeying instructions as to treatment and quarantine.

Then, with each and every one of the above conditions complied with, the physician's report of the case to the local health authorities may set forth the diseased person's case or key number in lieu of his name, and the name of the

city, village, or town in lieu of the name of the street and number of the premises in which he resides, and may omit the name and address of the employer of such diseased person.

Such reports are to be kept by the local health authority in a book for the purpose. One section of the book shall be devoted to records of each physician reporting.

If the physician in cities, towns, or villages with a population under 5,000 reports directly to the State department of public health by key number, then the State department of public health shall keep the records from any given town in a book for the purpose, and one section of the book shall contain records and reports from each physician of that town.

RULE 6. Forms.—A reasonable number of all forms required by these rules and regulations will be supplied without cost on request to the department of public health.

RULE 7. Report of termination of case.—Upon termination of treatment of any case of venereal disease which has been reported by case or key number, the attending physician shall report the fact to the local health authorities or to the health authority to whom the original report was made, giving name (or case or key number as the case may be), the date upon which the case was terminated and upon what grounds the case was terminated (i. e., cured, transferred to another physician, dismissed uncured or died, etc.). If the diseased person is dismissed uncured and is still in an infectious condition, the physician shall advise such diseased person what further treatment is necessary, and if no notification of transfer to another physician has been received by the physician dismissing the diseased person within 10 days after dismissal, the name and address of such dismissed patient shall be reported to the local health authorities or to the health authority to whom the original report was made.

RULE 8. Record kept by druggist—Reports required.—Every druggist, pharmacist or other person who sells any drug, specific, compound or preparation of any kind for the cure or treatment of venereal diseases shall keep a record of the name, address, color and sex of the person making such purchase, together with the name or description of the article purchased, and shall make report thereof within 24 hours to the health authorities on forms provided for that purpose. In case, however, a person presents a bona fide prescription issued by a legal practicing physician, which shows on its face the case or key number of the physician, then the record kept by such druggist, pharmacist or other person, and the report, thereof, shall, in lieu of the name and address, show such case or key number, and in addition thereto shall show the name of the physician who issued the prescription.

Such record shall, at all reasonable times, be open to the inspection of the local health authorities and of the department of public health.

RULE 9. Reports confidential.—All information and reports concerning persons infected with venereal diseases shall be confidential and shall be inaccessible to the public. All record books and file cases in which are kept names and addresses of persons infected with venereal diseases shall be kept private. No names or addresses shall be given out or made public or divulged in any other way except upon orders of the court.

All persons, officials, and private citizens are prohibited from giving out such names or addresses, or otherwise divulging this information.

RULE 10. Circular of information.—Every physician and every person who treats a person afflicted with venereal disease shall give to such diseased person a circular of information and advice concerning venereal diseases furnished or approved by the department of public health.

RULE 11. *Change of physician.*—A physician upon being applied to for treatment by a venereally diseased person shall inquire of and ascertain from such person if he has previously consulted with or been treated by another physician for the disease with which he is afflicted, and if so, the physician now applied to shall—

- (a) Ascertain the name and address of the physician previously consulted.
- (b) Notify, in writing, within 24 hours after being first applied to for treatment by the diseased person, the physician previously consulted of the change of medical advisors.
- (c) Ascertain from the physician previously consulted if the case of venereal disease in question was reported to the local health authorities by name or by case or key number, and if by case or key number what case or key number was given in such report.
- (d) Report the case to the local health authorities, as provided in these rules, noting on such report the following: "Transfer case from Doctor ——" (giving name of physician previously consulted), and if reported by case or key number by the physician previously consulted, the case or key number employed in the previous report.

It shall be the duty of the physician applied to for the information herein required to give such information promptly and correctly.

In case any venereally diseased person shall change medical advisors without the latter giving notification provided for in paragraph (b) of this rule then the physician previously consulted shall, on the tenth day following the last day on which he was consulted by such diseased person, report to the local health authorities the name and address of such diseased person.

Nothing in these rules shall be construed to prohibit a diseased person from transferring from one physician to another nor shall it be held that such transfer can not be made without requiring the revealing of such person's identity to the local health authorities. Such transfer may be made at any time and if made in accordance with the provisions of this rule the identity of such person shall not be revealed.

RULE 12. *Application of diseased person to health authorities for diagnosis.*—Any person being treated for a venereal disease may apply to the local health authorities or the State department of public health for examination and advice, or he may transfer to another physician in accordance with the provisions of rule 11.

RULE 13. *Laboratory diagnosis.*—The local health authorities or the department of public health may require submission of specimens from cases of venereal diseases for the purpose of laboratory examination. When required to do so, either by the local health authorities or by the department of public health, each physician attending a case of venereal disease shall secure specimens for laboratory examination.

All public and private diagnostic laboratories shall report to the local health authorities all examinations for gonorrhea, syphilis, and chancroid which gave positive results, by the standard methods. In examining venereal disease [specimens] the standard method shall be employed. These reports must give the name and address of the physician or other party submitting specimen, the diagnosis, the method employed, and the date. They must be mailed within 24 hours of the completion of the examination. The local health authorities will keep a record of each laboratory reporting, showing dates of reports received, serial number of report, diagnosis and names of physicians, and others for whom reports were made.

RULE 14. *Exposure of others to infection prohibited.*—Any person having a known or suspected venereal disease is prohibited from inoculating any other person with a venereal disease, and such persons shall not perform or commit any act which exposes any other person to inoculation of or infection with any venereal disease.

RULE 15. *Reports by local authorities to department of health—Military and naval service.*—Except in cities of 100,000 or over, upon being advised of a case of venereal disease, all local health authorities shall report the same to the department of public health on forms furnished for that purpose.

In case the report to the local health authorities discloses a person attached to the military or naval service of the United States or of this State, the local health authorities shall also immediately advise the medical officer of the military or naval organization to which the diseased person belongs.

RULE 16. *Reports by local authorities to overseer of the poor—When.*—Upon being advised of a case of venereal disease in any person who is unable to pay for the necessary medicine, medical attention, or hospital care, local health authorities in places where there is no approved clinic, shall report the case to the overseer of the poor, or to the county agent, who shall supply such medicine, medical attention, and hospital care.

Following is a copy of the law:

An Act to enable counties or cities to segregate and treat persons suffering from certain communicable diseases.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That any county or city may by ordinance or order provide for the segregation and treatment of persons suffering from communicable venereal diseases.

SEC. 2. Such counties or cities may provide for the procurement and maintenance of hospitals, sanitarium, or clinics, or for the segregation or treatment in hospitals, sanitarium, or clinics or for the segregation or treatment in hospitals, sanitarium or clinics already established, and pay the cost and expenses thereof from the public funds of such county or city.

SEC. 3. Any person suffering from any communicable venereal disease may apply to the county or city clerk, the clerk of any county or city court, or to any peace officer for admission to treatment in such county or city hospital, sanitarium, or clinic, and it shall be the duty of such officer to refer such applicants to the director or person in charge of such institution to treat such applicant as the case may require.

Approved, June 28, 1919.

RULE 17. *Rules for isolation, control, and quarantine.*—All cases of venereal diseases in an infective stage are subject to the following:

(1) The local health authority shall define the limits of the area in which the diseased person and his immediate attendant are to be isolated. No person other than the attending physician shall enter or leave this area without permission. All possible routes or avenues of infection must be closed.

(2) The diseased person, whether confined in a given area or allowed to circulate as he pleases, shall not engage in any of the following occupations while infective:

- (a) In the preparation and handling of foodstuffs.
- (b) In the work of a barber, manicurist or hairdresser.
- (c) In the work of caring for the sick in the capacity of physician, healer, dentist, or nurse.
- (d) Or in any other occupation the nature of which is such that there is likelihood that the disease may be imparted to others in the course of the occupation.

(3) Whenever possible cases of venereal disease subject to isolation and quarantine should be cared for in hospitals.

(4) No prostitute, suspected prostitute, or habitual associate of prostitutes or other persons under quarantine or isolation shall be released from quarantine until the local health authority has determined that the party is no longer infective by laboratory and clinical tests and disinfected the premises at his discretion.

(5) No private patient under treatment by a physician who has assumed responsibility shall be pronounced cured or released from control or quarantine until he has been pronounced noninfective after applying the standard clinical and laboratory tests.

(6) The period of control and treatment in all cases should be as follows:

Gonorrhea.—Female: All cases to be kept under control and treatment for a minimum period of 1 month and thereafter until at least 3 consecutive negative smears, taken at intervals of not less than 24 hours, are obtained from the cervix, vagina, and urethra.

Male: All cases to be kept under control and treatment for a minimum period of 1 month and thereafter until at least 3 consecutive negative smears, taken at intervals of not less than 24 hours, are obtained from the urethra following massage of the prostate.

Syphilis.—All cases to be kept under control and treatment for a minimum period of one month and thereafter until all lesions of the skin and mucous membrane have healed and a negative Wassermann reaction is obtained. (In the event of persistent positive Wassermann reaction following a reasonable period of improved treatment, the facts of such case shall be presented to the State department of public health for a special ruling on the disposition of the case.)

Chancroid.—Until all lesions are fully healed.

RULE 18. When rule 17 enforced by physician.—In case the physician reports the diseased person by case or key number, such physician shall be charged with strict enforcement of rule 17. When the physician has reason to believe that the diseased person is not complying with rule 17, and is not taking the precautions necessary to prevent the spread of the disease, the physician shall immediately report the correct name and address of the diseased person to the local health authorities.

RULE 19. When rule 17 enforced by local health authorities—General duties of local health authorities.—In addition to the other duties prescribed by these rules, the local health authorities shall—

(1) Use every available means to ascertain the existence of venereal disease and to investigate all cases reported, except cases reported by a physician under the case or key number, and even these cases if it be reported or reasonably suspected that such case is not observing the precautions deemed necessary to the protection of the public.

(2) Ascertain, so far as possible, the sources of infection and all exposures to the same.

(3) Make examination of persons reasonably suspected of having venereal diseases (owing to the prevalence of such diseases among prostitutes, and persons associated with them, all such persons may be considered within the above class).

(4) Examine known or suspected prostitutes committed to or detained in any calaboose, police station or jail to ascertain the existence of any venereal disease, and, if any such person therein is found to be affected with a venereal disease, to quarantine such person until it is definitely ascertained that quarantine may be terminated in accordance with rule 17 of these rules.

(5) In making examination of females for the purpose of ascertaining the existence of venereal diseases, to appoint, when requested by the person examined women physicians, where the appointment of such women physicians is practicable and feasible.

(6) Cooperate with proper officials whose duty it is to enforce laws against prostitutes and otherwise use means for the suppression of prostitutes.

(7) Any person known to be a common prostitute or reasonably suspected or believed to be such or any inmate of a house of ill fame or any man consorting with a common prostitute or inmate of a house of ill fame caught in bed with or in the bedroom of a common prostitute or inmate of a house of ill fame shall be deemed to be a suspected case of venereal disease or an infective carrier. If any person reasonably suspected by the health authority of being infected or being an infective carrier of any of the said diseases refuses to submit to the examination set forth by these rules, such refusal shall be *prima facie* proof that such person is so infected and shall authorize and justify the quarantine and isolation of any such person and the placarding of the premises by the local health authorities.

All persons exposed as above and not found infected or infective shall, when the order is given by the local health officers, be held as suspected contacts for the period of incubation of the disease found in other contacts.

(8) Infective first offenders when not cared for by private physicians shall be treated in special hospitals or wards away from other offenders or in general hospitals but under surveillance and control.

(9) Report to the department of public health on forms furnished for that purpose.

RULE 20. Placarding.—The following premises shall be placarded by or on order of local health authorities:

(1) Premises used for immoral purposes when such premises are known to harbor or are suspected of harboring a person afflicted with venereal disease.

(2) Premises where the venereally diseased person can not be isolated or controlled.

(3) Premises in which an infective person lives or into which he goes or in which he operates in a manner likely to cause the spread of this infection.

(4) By infective persons is meant those who are cases of syphilis, gonorrhea, or chancroid, infective carriers of these diseases and suspected contacts during the incubation period as set forth elsewhere in these rules.

(5) Any house that has been placarded shall be regarded as under quarantine and such quarantined premises shall be subject to such reasonable rules as to the incoming and outgoing of persons other than the infective person; as to the liberty to come and go and to sexually cohabit of the infective person; as to the disinfection of articles in the house—as the local health authority may deem necessary in his community based on local conditions.

(6) The proper constituted authorities shall have the right to establish hospitals, clinics, and dispensaries, or to arrange with hospitals, homes, or with jails or other penal institutions for the setting aside in such institutions or in buildings connected therewith of space for the quarantining of persons infective with syphilis, gonorrhea, chancroid, or several of these diseases.

Provided, That where such space in an institution otherwise used as a penal institution is set aside for quarantine purposes it shall be designated as a hospital or home and not regarded or designated as a part of the penal institution and not subject to the rules and control of such institution.

Provided, That persons sent to such hospitals or homes are held as under quarantine for public protection and not as under imprisonment except when they may be under imprisonment for infraction of the criminal law.

(7) Cases under treatment may be released from the provisions of this rule and other rules relating to quarantine, isolation, and placarding at the discretion of the health officer so long as they diligently carry out treatment necessary to cure them so that relapses may be prevented and treatment required to terminate infectivity under private physicians and in dispensaries as is elsewhere provided in these rules.

Infective carriers may be released from the same provisions provided they comply with the rules of treatment and control as elsewhere provided in these rules.

Suspected contacts may be released as above if they will report periodically as directed to the health department and otherwise comply with the rules.

RULE 21. Placarding—Contents, color, and size of placard.—Whenever premises are placarded in accordance with rule 20, it shall be done in the manner following:

When a known case of venereal disease exists upon the premises: A red card not less than 11 by 14 inches, bearing at least the inscription "Venereal diseases," printed in black with bold-face type not less than 3 inches in height, and "Keep out" printed in black with bold-faced type not less than 2 inches in height, shall be affixed in a conspicuous place at each outside entrance of the building, house, or flat as the case may be.

When a suspected case of venereal disease is known or reasonably suspected to exist on the premises: A red card not less than 11 by 14 inches, bearing at least the inscription, "Quarantined," printed in black with bold-face type not less than 3 inches in height, and "Suspected venereal disease" printed in black with type not less than five-eighths inch in height, and "Keep out" printed in black with bold-face type not less than 2 inches in height, shall be affixed in a conspicuous place at each outside entrance of the building, house, or flat as the case may be.

Defacement or concealment of such placards or their removal by any other than the local or State health authorities is strictly prohibited. The local health authority shall remove the placard when the case or carrier has been removed or is cured or no longer infective and when the premises have been properly cleaned and disinfected.

RULE 22. Certificate of freedom from venereal disease.—No physician, local health authority or other person shall issue certificates of freedom from venereal diseases to any persons known to be or suspected of practicing prostitution.

RULE 23. Removal from one health jurisdiction to another.—No person having a venereal disease in an infective stage or liable to become so shall move, or be moved, from one health jurisdiction into another without first securing permission to do so from the local health authorities of the place from which removal is to be made, or from the department of public health. Such permission may be granted under the following conditions:

(1) The object of the proposed removal shall be deemed by the issuing health officer as urgent and legitimate, and not for the purpose of relieving one community of an undesirable burden at the expense of another.

(2) Removal can and will be made without endangering the health of others, either in transit or at destination.

(3) Patient agrees to report in person to the local health authorities immediately upon arrival at destination, or agrees to place self under care of a reputable physician (to be named in the removal permit) on arrival at destination, and attending physician assumes responsibility for fulfillment of this agreement, and the exact address of patient after removal shall be known and stated or else his new place of employment.

(4) Removal shall not begin within 24 hours after notice of removal has been forwarded by first-class mail to the health officer at proposed destination of the venereally infected person, which notice shall be made out and signed by the health authority granting permission for removal.

The health officer at destination of the patient so removed shall require the recipient physician to file a report of the case on the form prescribed by these rules.

(5) If patient fails to report to the local health officer or to the physician named in the removal permit, then the local health officer shall make a determined effort to locate said patient at the new address or place of employment and compel him to get under treatment.

RULE 24. Examination of inmate of jail, etc.—Any person committed to or confined in, either temporarily or for a definite period of time, any jail, house of correction, or other penal or correctional institution, detention hospital, or any State, county, or city charitable institution shall, at the time of admission thereto, be given a thorough medical examination to determine the existence of any venereal disease, and if such person is found to be infected with any venereal disease, such person shall be promptly removed to quarters where proper treatment and control can be had, and there held in quarantine until such time as it may be definitely ascertained that quarantine may be terminated without endangering the health of other inmates or the health of the public, such determination to be in accordance with rule 17 of these rules.

Such report shall be made by the superintendent or other administrator and by the attending physician to the local health authority within 24 hours after the facts are known.

All institutions of the kind named shall keep a record book in which is shown the dates, diagnosis, name, date of report number of the case, and the signature of the reporting person.

No superintendent or other administrative officer as above shall discharge any prisoner who is suffering from a venereal disease, or who is an infective carrier of a venereal disease, without first reporting to the local health authority the name of such person, the disease and the date of intended discharge.

RULE 25. Definitions.—The following words and phrases, as used in these rules, shall be defined as follows:

"Venereal diseases": (a) Syphilis; (b) gonococcus infection; (c) chancroid.

By syphilis is meant all disease states and all carrier states due to *trepenoma pallida*. In so far as these rules are concerned, the states covered are those in which the subject is infective or there is a probability of his becoming so.

By gonorrhea is meant all disease states and all carrier states due to gonococcus. In so far as these rules are concerned, the states covered are those in which the subject is infective or there is probability of his becoming so.

By chancroid is meant all disease states and all carrier states (if any be known) due to the Ducray bacillus or other infectious organisms capable of causing soft ulcers in the genitalia and which ulcers are infective.

A case of syphilis is one with the following symptoms or as many of the same as may be required for diagnosis both of the disease and of its infectivity: A chancre, mucous patches on the genital organs, or any mucosa—acute skin lesions of the secondary stage, a syphilitic pyrexia. Presence of *trepenoma pallida* in the secretions of ulcers, mucous patches or on mucous surfaces or in ulcer wall—discharging syphilitic glands.

A case of gonorrhea is one with the following symptoms or as many of the same as may be required for diagnosis both of the disease and of its infectivity: Acute purulent discharge from the urethra, vagina, rectum, or eyes due to gonococcus. Cystitis, vaginitis, urethritis, suppurating bubo, and venereal warts due to gonococcus.

A case of chancroid is one with the following symptoms or as many of the same as may be required for diagnosis both of the disease and of [its] infectivity: Soft ulcers of the genitalia or around the anus and suppurating inguinal glands due

to the Ducray bacillus or other infective organisms, except gonococcus and trepenoma.

An infective carrier is a person capable of infecting another person with one of the above diseases or who will probably shortly become infective.

A suspected contact is a person who has been in contact with a case of venereal disease or an infective carrier—a suspected contact remains such for 10 days in the case of gonorrhea, one month in the case of syphilis, and 10 days in the case of chancroid, unless in the meanwhile he becomes a case.

In these rules wherever the term "he" is used it shall be considered as applying to females as well as to males.

"Prostitute," a person known to be practicing sexual intercourse promiscuously.

"Department of public health," the Illinois State Department of Public Health.

"Diseased person," one infected or suspected of being infected with a venereal disease.

RULE 26. Giving false information.—It is a violation of these rules for any diseased person, or for any physician, drugless healer, pharmacist, dentist, hospital superintendent, attendant, nurse, or other person of whom information is required by these rules knowingly to give an incorrect name and address or to impart false information.

RULE 27. Penalties.—Health or other officers who fail, neglect, or refuse to enforce these rules, and all persons who violate them, subject themselves to a fine of not to exceed \$200 for each offense, or to imprisonment in the county jail not to exceed six months, or both in the case of individuals.

RULE 28. A copy of these rules shall be given to every health officer, physician, dentist, healer, nurse, druggist, superintendent of hospitals, and prisoners in jails.

RULE 29. Repeal—Effective date.—The rules for the control of venereal diseases heretofore promulgated and effective on and after July 1, 1920, shall, on the effective date of this order, be repealed and held for naught, except that cases reported and then pending shall be disposed of in accordance with those rules. These rules shall be in force and effect on and after the first day of November, A. D. 1922.

KANSAS

Typhoid Fever Carriers—Definition—Reports to State Department of Health Regarding—Instructions to be Given Carrier—Precautions by Carrier to Prevent Spread—Prohibited Occupations—Removals to Other Jurisdictions—Laboratory Examinations of Discharges—Release. (Reg. Bd. of H., Dec. 30, 1922)

RULE XXIV. 1. A typhoid carrier is a person who harbors typhoid bacilli and emits them, regularly or intermittently. This condition may or may not follow a recognized attack of typhoid fever. A person continuing to discharge typhoid bacilli following an attack of typhoid fever shall be regarded as a case rather than a carrier, for a period of at least 12 weeks, following subsidence of clinical symptoms. After that period the health officer may, in his discretion, declare such person to be a carrier.

2. The health officer, upon the discovery of a typhoid carrier, shall immediately report the fact to the State department of health, giving the full name, age, occupation, and address of such carrier (together with any other information relative to possible or probable infection of others), and shall also communicate the fact to the carrier himself, or his guardian, imparting to him detailed information regarding the precautions to be observed in disposing of his discharges, in preventing contamination of his hands, and thus protecting others from infection.

Instructions given by the health officer should include directions to wash the hands thoroughly with soap and water immediately after using the toilet and to use individual towels, and drinking and eating utensils, which should be thoroughly cleansed, preferably by boiling before being used by others.

3. When an outside toilet is used regularly by a typhoid carrier it shall be equipped with a water-tight container, so screened as to exclude flies, and the removal of the contents for disposal should be in accordance with instructions given by the health officer.

4. No typhoid carrier may engage in any occupation involving the handling of milk or other food products to be consumed by others. It is recommended that immediate members of the household should all be immunized against typhoid fever every two years.

5. No typhoid carrier shall leave the community in which he resides without notification to the local health officer, who is to be informed of his destination, including his new address. The health officer should immediately notify the State department of health of the change of address.

6. The local health officer shall visit each typhoid carrier within his jurisdiction at least once monthly in order to determine whether instructions are being observed, and once in each quarter shall render a report regarding each such carrier to the State department of health upon a form prescribed for the purpose.

7. The health officer shall cause samples of the discharges from each carrier to be examined bacteriologically at intervals at a laboratory approved by the State department of health, and a carrier may be regarded as recovered and be discharged from observation when four successive samples of the discharges taken not less than seven days apart shall have been found not to contain typhoid bacilli: *Provided*, That in case the history shows that the person has been a carrier for a period of over two years this rule shall not apply as to recovery of carrier: *And provided further*, That chronic typhoid carriers of over two years' duration may be released by the State department of health upon satisfactory evidence of recovery.

Diphtheria—Quarantine Restrictions—Control of Carriers. (Reg. Bd. of H., Dec. 30, 1922)

RULE XXVI. Diphtheria (including membranous croup).—(a) No member of any household in which diphtheria or membranous croup exists and no person afflicted with or recovering from such diseases shall be permitted to appear on the public streets or highways, or in any public place, or attend any place of public amusement or worship, or visit any other private house, until after danger from contagion is passed and said household premises [have] been thoroughly disinfected.

(b) Such quarantine restrictions shall be maintained until two successive negative bacteriological cultures have been obtained from the nose and throat of the patient at intervals of 48 hours, and until one negative culture shall have been obtained from each of the other members of the household, but in no case shall minimum period of release from quarantine on two negative cultures from the patient be less than 14 days from the onset of the disease. In certain communities conditions may make such procedure impracticable or families refuse to have cultures taken, in either of which event the minimum period of quarantine shall not be less than 25 days from the beginning of the disease and as long thereafter as false membrane or evidence of sore throat or any discharge from eyes, ears, nose, or throat remains: *Provided*, That where patients are properly isolated and contact with them is avoided, after negative cultures from the nose and throat, wage earners may be allowed to continue their occupations, when employed in industries other than the production, manufacture, or sale of wearing apparel and foodstuffs and when their employment does not bring them in contact with children.

(c) All persons not mentioned in paragraph (a) who have been exposed to diphtheria or membranous croup shall be quarantined for seven days after the last exposure; or as an alternative procedure, all persons so exposed may be released from quarantine upon the returning of negative cultures from the throat and nasal passages.

(d) Any teacher in a public school who has been living or visiting with any family in which a case of diphtheria develops must not return to her school duties until seven days have elapsed from the date of last exposure.

(e) The local health officer, upon the discovery of a carrier, shall immediately isolate the carrier, quarantine the household, and take all precautions to prevent infecting other persons with the diphtheria bacilli.

The same procedure for release from quarantine of a diphtheria carrier or those exposed to a diphtheria carrier shall be followed as in an active case of diphtheria: *Provided*, That release from quarantine shall follow two negative cultures, taken 48 hours apart: *And provided further*, That if a virulence test is made and the person is found to be harboring the non-virulent type of diphtheria bacilli, the above rule shall not apply in the case of the carrier.

Mumps—Quarantine Restrictions—Placarding—Attendance at School and Gatherings of Nonimmune Contacts Among Children. (Reg. Bd. of H., Dec. 30, 1922)

RULE XXXII. Mumps.—(a) No person afflicted with or recovering from mumps shall be permitted to appear on the public streets or highways or in any public place or attend any place of public amusement or worship, or visit any other private house, until they [sic] shall be declared by the local health officer free from danger of transmitting the infection.

(b) All premises on or in which mumps occur shall be placarded.

(c) The minimum quarantine or isolation of all cases of mumps shall be until two weeks after the appearance of the disease and one week after the disappearance of the swelling.

(d) All nonimmune contacts in children should be excluded from school and public gatherings for 18 days after the last exposure to a recognized case.

Dairy Products—Requirements Governing the Production, Manufacture, Handling, Testing, and Sale. (Reg. Bd. of Regents of Kansas Agricultural College and State Dairy Commissioner, Jan. 1, 1922.)

RULE 1. Complaints made to the State dairy commissioner regarding the production, manufacture, storing, buying, handling, selling, or shipping of any dairy product in an insanitary place or manner must be signed by the person making the complaint, and full address must be given; also, description as to the nature of the complaint, and full name and address of the person suspected of violating the law.

RULE 2. Unclean or unwholesome dairy products condemned for human food by the dairy commissioner or his deputies must be so treated as to render impossible the manufacture or renovation of such products for human food.

RULE 3. Milk stored or shipped in rusty or insanitary cans, produced or milked in insanitary surroundings, produced by unhealthy cows, or milk produced from cows within 15 days before and 5 days after calving, is considered as impure and unhealthy milk.

RULE 4. Cream stored or shipped in rusty or insanitary cans, cream handled in insanitary surroundings, or cream that has been skimmed by a separator that was not clean when used, is considered as unclean and impure.

RULE 5. Butter stored where oils, vegetables, poultry, or other strong-flavored merchandise are handled, or butter packed, shipped, or stored in unclean butter stands, boxes, or packages, will be condemned for food by the State dairy commissioner or his deputies.

RULE 6. As provided for in section 2, all creameries, cheese factories, condenseries, ice-cream manufacturers, or dealers in dairy products in the State of Kansas shall furnish, on blanks provided by the commissioner, a true and full account of the value of dairy products manufactured or handled by them, and such other information as the dairy commissioner may deem necessary for compiling a correct statistical report of the dairy business of the State: *Provided*, The information shall not be given out regarding the individual.

RULE 7. The use of common salt is necessary in the manufacture of certain dairy products. It is in such cases permissible by law, but such salt must be clean, stored and kept in a clean and sanitary place. Milk, cream, or unmanufactured dairy products that contain added salt are considered adulterated.

RULE 8. Section 5 provides for testing of milk and cream or their products. The securing of accurate samples of dairy products is the first important step in testing. It is hereby required that all milk should be poured at least once from one vessel to another before a sample is taken for the test, and that cream shall be poured from one vessel to another at least three times before sampling, unless the said milk or cream is thoroughly stirred and sampled by the "McKay" sampler or some other recognized sampler that will secure a representative sample.

RULE 9. All milk or cream utensils that are used for the purpose of shipping or storing milk or cream that are not removed from the depot on the same day they arrive, and from which the covers have not been removed and the cans inverted in pure air, will be considered unclean and insanitary utensils.

RULE 10. Dairy products manufactured where proper rules of sanitation are not observed shall be subject to condemnation.

RULE 11. Milk or cream for sale shall not be handled or sold by any person suffering from a contagious disease, or by any person attending or nursing any person suffering from such disease.

RULE 12. Milk to be separated should be separated as soon as possible after milking, and the cream of each separation cooled by placing said cream in cold water before mixing with cream of different separations.

RULE 13. A permit to test milk or cream shall not be granted to any person maintaining an insanitary milk or cream depot until such place meets the approval of the dairy commissioner or his deputies, or satisfactory proof is furnished that the said milk or cream depot is sanitary.

RULE 14. The use of the pipette for measuring the amount of cream in testing is not approved. Persons testing cream shall weigh the sample accurately on a scale to be approved by the dairy commissioner. The weight of cream shall conform to the style of test bottle and shall be exactly 9 or 18 grams. (Any clean scale, sensitive to a drop of cream and at least one-tenth of a gram, is approved for cream-testing purposes.)

RULE 15. Section 7 of the dairy law shall not be construed to prohibit the handling and sale of pure butter, cheese, or other wholesome dairy products in sanitary and well-kept grocery stores, or other suitable places commonly used for the distribution of food products, providing that all milk and cream thus handled shall be kept at a temperature not exceeding 60° F. and shall be received and sold in tightly capped bottles.

RULE 16. No person or persons, firm, or corporation purchasing milk or cream by the Babcock test shall pay for the milk or cream so purchased until after the Babcock test has been fully and accurately made in accordance with section 5 of chapter 237 of the dairy law of Kansas, and in accordance with the instructions for drawing samples and conducting the test issued by the dairy commissioner. In no case shall any part of the sampling or testing, as prescribed by the dairy commissioner, be omitted or be carelessly or hastily performed.

RULE 17. Section 5 of the dairy law shall not be construed to prohibit the use of glymol for the removal of the meniscus in determining the fat content of samples of cream. When glymol is used the samples under test must be immersed in a water bath the temperature of which is 135° to 140° F. for at least 10 minutes previous to reading the test. The water must extend above the butterfat in the necks of the test bottles.

RULE 18. All cream shall be graded according to the following rules, and each grade shall be kept in a separate can, plainly marked to indicate the grade contained therein:

(1) First-grade cream shall consist of cream that is clean, smooth, free from all undesirable odors, clean to the taste, and sweet or only slightly sour.

(2) Second-grade cream shall consist of cream that is too sour to grade as first, that contains undesirable flavors or odors in a moderate degree, that is foamy, yeasty, or slightly stale, or that is too old to pass as first-grade cream. All sour cream containing less than 25 per cent butterfat shall be graded as second grade.

(3) Unlawful cream shall consist of cream that is very old, rancid, moldy, dirty, or curdy, and such cream shall not be purchased, sold, or used for food purposes.

RULE 19. Every person delivering milk, cream, or ice cream to creameries, cheese factories, common carrier, or any other person, persons, firms, companies, or corporations, in cans, bottles, or other vessels, shall have such cans, vessels, or bottles free from any deleterious substance, filth, or rust, and in a wholesome

condition for containing such milk, cream, or ice cream. Every person receiving milk, cream, or ice cream from a common carrier in cans, bottles, or other vessels which are to be returned to the shipper shall cause such vessels to be promptly emptied, thoroughly cleansed, and returned.

RULE 20. All samples of milk or cream, the tests of which are to be used as a basis of payment, shall be kept in a cool, clean, sanitary place and in tightly stoppered bottles or tightly covered jars for at least 24 hours after the test of said sample has been completed.

RULE 21. It shall be unlawful for any person other than the rightful owner thereof to use any can, bottle, or other receptacle if such receptacle is marked with the brand or trade-mark of the owner.

RULE 22. The variance of 1 per cent allowance in the testing of the cream under section 6 of the dairy law shall not be construed to mean one point of the test, but 1 per cent of the butterfat content. For example, 100 pounds of cream at 40 per cent test equals 40 pounds of butterfat, and 1 per cent variation would be 0.4 of a pound of butterfat allowable. If the test was read 41 per cent, or one point higher in test, the shortage would be $2\frac{1}{2}$ per cent.

RULE 23. All milk tests shall be maintained at a temperature of 130° F. for at least 10 minutes before the reading of the per cent of butterfat is made and recorded. The water in bath must extend above the butterfat column in the neck of the bottle.

KENTUCKY

Tuberculosis Hospitals—Establishment, Equipment, and Maintenance of, Jointly by Counties and First-Class Cities Therein. (Ch. 59, Act Mar. 23, 1922)

SECTION 1. *City and county may provide funds for tuberculosis hospital.*—In order to obtain and provide funds for the acquirement, construction, furnishing, and equipment of all necessary buildings, structures, property, and improvements to constitute and to be maintained as, agreeably to the provisions of section 3037c, Kentucky Statutes, Carroll's Edition, 1915, a modern and adequate tuberculosis hospital in any county of this Commonwealth which contains therein a city of the first class, any city of the first class may vote, agreeably to the provisions of this act, the bond issue herein provided for; and any such county may, through its fiscal court, make the levy or levies of taxes for such purposes herein provided for.

SEC. 2. *City bond issue.*—In order to provide funds for the purpose indicated in section 1 hereof, the general council of any such city of the first class may adopt an ordinance submitting to the voters of such city at the November election, 1922, the question as to whether or not the bonds of the city shall be issued for such purpose. Such ordinance shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount of such bonds; which total shall be \$750,000. Said ordinance shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, coupons to be annexed, tax to be levied to pay the interest thereon; and same shall also make provision for a sinking fund to retire such bonds at maturity. Such ordinance may be adopted by the general council, either prior or subsequent to the selection of the plans, as provided for herein, to be used in the acquirement and construction of said hospital buildings, structures, equipment, furnishings and property—all hereinafter referred to as "hospital."

SEC. 3. *Issuance and sale of bonds.*—If the voters of such city shall duly determine that said bonds shall be issued, such bonds, when so issued, shall be placed under the control of the "Board of Tuberculosis Hospital" (hereinafter referred to as "board"), created and existing under section 3037c, Kentucky Statutes, Carroll's Edition of 1915; and said board shall determine when, at what price, and how said bonds shall be sold: *Provided, however,* That such bonds shall not be sold for less than par, and any premium that may be obtained from the sale of such bonds shall constitute a part of the sinking fund for their ultimate retirement. As the said bonds are sold, their proceeds shall go to the credit of the board in the same depositories which are selected for the deposit of the funds received or held by the commissioners of the sinking fund of such city and upon the same agreement as to interest, and shall be withdrawn only upon the checks of the secretary and treasurer of the board, countersigned in such manner, and accompanied by such vouchers, as may be prescribed by the regulations to be adopted by the board.

SEC. 4. *Power to borrow money.*—All disbursements of the board, including compensation of its officers, agents, and others employed by it, shall come out of the proceeds of the sale of said bonds: *Provided, however,* That the board shall have the right to borrow enough money to defray the liabilities incurred by it up to the time it shall receive such proceeds, and shall discharge such liabilities out of such proceeds if said bond issue be voted; or, in the event that the voters of said city shall reject the said ordinance and defeat said bond issue, then such city and county shall be jointly responsible for the payment of all money thus borrowed.

SEC. 5. *Board to make examination of methods of construction, etc.*—It shall be the duty of the board to make such detailed and careful study and examinations of the method of constructing, furnishing, and equipping public tuberculosis hospitals as may enable the board to determine the best plan of construction, furnishing, and equipping a public tuberculosis hospital as will fully answer the needs of said city and county for which it is to be constructed and maintained, taking into consideration all features of ventilation, heating, lighting, sewerage, furnishings, and equipment; and also the probable increased or future needs for the treatment of tubercular patients of said city and county. The board shall have the power to employ one or more architects to submit plans for the construction of said hospital, and the furnishing and equipment of same, together or separately, and to attend to the carrying out of the same, and to pay a reasonable compensation therefor; but no compensation shall be paid any such architect until, or unless, the bonds herein provided for are duly voted by said city and the proceeds therefrom become available for the purposes contemplated by this act.

SEC. 6. *Secretary, treasurer, superintendent of construction, etc.*—Said board shall elect by a majority vote a secretary and treasurer, not a member of the board, who shall hold the combined office at the pleasure of a majority of the board, and shall receive a salary to be fixed by the board, not to exceed \$2,000 per annum, to be paid by the board as part of the expenditures provided for under this act. The board by a like vote (but not until, or unless, the bonds provided for herein shall be duly voted) shall elect a superintendent of construction. The superintendent of construction must be a draughtsman experienced and familiar with fireproof construction and the erection of large buildings and other mechanical equipment, and also experienced in preparing, reading, and executing architects' plans and specifications. He shall give his entire attention to the affairs of the board, as prescribed for him hereunder by the board, and he shall receive, as compensation, a salary to be fixed and paid by the board, as a part of the expenditures provided for by this act, not exceeding \$4,000 per annum; and he shall be removable at the pleasure of a majority of the board. The members of said board shall receive no compensation for their services, but shall be allowed their expenses when traveling on business of the board.

SEC. 7. *Bonds by officers.*—The president or chairman, and the secretary and treasurer of the board, and the superintendent of construction, selected by the board to superintend the construction of said hospital, shall each give bond, with approved surety, in such sum as may be fixed by the board; and each such bond shall be payable to said board, and shall oblige the person executing and making same to faithfully perform the duties of his office hereunder, and to faithfully account for and pay over all money or other things of value which may come into his hands as may be required by law. The premiums for said bonds shall be paid by the board and accounted for as expenses in the construction of said hospital.

SEC. 8. *Reports of plans to be made.*—When the board shall have determined upon the general plan for the construction, furnishing, and equipment of said hospital which, in its judgment, will prove to be the most expedient and advantageous for the purposes required, it shall report such plan, as well as any other proposed plans as it may deem expedient, to the mayor of said city, giving a description of the general method of the construction, furnishing, and equipment of said hospital, under each plan, and the probable cost of carrying out each plan. Thereupon the mayor shall lay this report before the general council, and the plan recommended by the board shall be adopted and carried out by the board, unless the plan recommended by the board shall, within 30 days after it

has been received by the general council, be rejected and disapproved by a two-thirds vote of all the members of each body of the general council, each of such bodies sitting separately. If said plan so recommended by the board be so rejected by the general council, then, at any time within 30 days thereafter, one or the other of the alternative plans presented as aforesaid to the general council may be considered by it, and of these alternative plans the one shall finally be adopted which shall be approved by a two-thirds vote of all the members of each body of the general council, each of said bodies sitting separately; and if none of the plans thus submitted receives the necessary two-thirds vote of the general council within 30 days after the one recommended by the said board has been rejected, as aforesaid, then said board, with the approval of the mayor and the fiscal court of said county, shall have the right to choose a plan for said work, and to fully effectuate and carry out same agreeably to the provisions of this act. The general council shall have no power to vary any plan proposed and presented by said board, but, in adopting one of those so reported, must adopt same in its entirety.

SEC. 9. General powers of board.—Said board shall have full power and authority to carry out the purposes of this act, among which powers shall be the following, to wit:

(a) To make all such preliminary investigations, and to do all such preliminary work, as should, in its judgment, precede the actual construction of said hospital.

(b) To determine upon a proper site for such hospital: *Provided, however,* That where there is now established and maintained in any county affected by this act a tuberculosis hospital for the joint use and benefit of any such county and city, agreeably to the provisions of said section on [sic] 3037c, Kentucky Statutes, that site as it exists, or as may be enlarged by the acquisition of such adjacent property as may be recommended by said board, shall be used (together with any existing structures, furnishings, and equipment considered adequate or available for such hospital purposes), unless the board shall unanimously determine that such site is unsuitable for the purpose and shall recommend to the mayor the acquisition of another site. In the event of such recommendation, the mayor shall lay the matter before the general council of such city and the fiscal court of such county, which shall approve or disapprove the recommendation of the board as to such change of site; and only upon the approval of such change by resolution duly adopted by both bodies of said general council and approved by the mayor, and likewise upon the like approval of such change by said fiscal court, shall a new site be adopted. In the event a new site is acquired and used, the proceeds of the sale of the old site shall be applied to the payment of the new site: and for the purpose of acquiring such new site, said board shall have the right to sell the old site upon such terms as may be jointly approved by the mayor of said city and by the fiscal court of said county.

(c) To provide accommodations for patients of any such existing public tuberculosis hospital while the construction of the new hospital and the furnishing of same is proceeding: *Provided, however,* That the general council of said city and the fiscal court of such county may, out of their respective levies for charitable institutions or for similar purposes, jointly assume the whole, or part, of the expense [of] providing such temporary accommodations in the same ratio of their respective contributions made agreeably to law for the regular maintenance of said institution; and in case the expense of providing such temporary accommodations are [is] thus provided, the funds accruing under, and by virtue of, the provision[s] of this act for the construction, furnishing, and equipment of said hospital shall be relieved.

(d) In addition to the selection of the officers provided for in this act, the board may also appoint or employ such other professional or technical experts, and such agents, assistants, clerks, employees, laborers, skilled or unskilled, of all kinds, as it may deem requisite for the due and proper execution of the duties devolved upon it by this act, and may fix their respective compensations, and may remove or discharge them at pleasure, and may require of any of its officers or employees such indemnity or other bonds for the proper performance of their respective duties, as it may deem proper.

(e) To establish and enforce such reasonable rules and regulations for its own government, and for the supervision, protection, management, and conduct of its work under the provisions of this act, and the payment therefor, as it may deem advisable or expedient.

(f) To make or enter into, in its name, any and all contracts, agreements, or stipulations, germane to the scope of its duties and powers under this act.

(g) To purchase, hire, or otherwise obtain the use of all such lands, buildings, machinery, tools, implements, supplies, appliances, materials, and working agencies as it may need for the purposes indicated in this act:

Provided, however, That this enumeration of special powers in the subdivisions of this section shall not be construed as restricting, in any degree, the scope of the general powers [which] elsewhere herein, or already by law, are conferred upon said board.

SEC. 10. *Board may acquire property; condemnation proceedings.*—Said board may acquire, by gift, purchase, or lease, or by condemnation, any land, or other property, situated wholly within the county where such hospital is located, or where the board has duly determined to locate same; or any interest, franchise, easement, right, or privilege therein which may be required for the purpose of constructing, furnishing, equipping, and maintaining such hospital. In all cases where condemnation proceedings become necessary, the same shall be conducted in the name of said board, under procedure generally similar to that prescribed by section 2852, Kentucky Statutes, for the condemnation of property for park purposes for cities of the first class. All property acquired by the board shall be held, used, and controlled by it for the purposes named in this act.

SEC. 11. *Contracts; bids.*—All work to be done, and the purchase of all supplies, material, and equipment required to carry out the purposes of this act, when involving an expenditure of \$500 or more, shall be by contract, awarded to the best and lowest bidder; but the board, with the consent of a majority of all its members, may itself do any part or parts of such work, under such conditions as it may prescribe, by day labor, whenever the superintendent of construction shall recommend that such course be pursued. The board shall have the right to reject any bid or bids, or any parts thereof for the performance of any work, or the furnishing of any supplies, material, or equipment required under the provisions of this act. This section shall not be applied, nor construed, so as to limit the power of the board in the employment of architects, employees, clerks, or agents, nor to the renting of grounds or buildings for the accommodations [sic] of patients while such hospital is being constructed, furnished, and equipped.

SEC. 12. *Tax levy by county for construction, furnishing, and equipment of hospital.*—In any county containing therein a city of the first class wherein there shall be voted (in such city), for the purposes of this act, the bond issue herein provided for, upon such bond issue being so voted, the fiscal court of such county, for the purpose of raising county funds to be added to, and to be used with, those derived, and to be derived, from the sale of such bonds so issued, and to be issued, by such city, for the purposes aforesaid, is hereby authorized

and, empowered to levy, within and for each of the four fiscal years of such county next ensuing after the voting of such bond issue, a tax levy not exceeding 5 cents on each \$100 of taxable property in said county; and thereafter said fiscal court may, in like manner, and for the like purpose, if it deems such action necessary or desirable, make the like levy, for the like purposes, within and for any succeeding fiscal years of such county. Each levy of county taxes herein provided for must be made within and for the fiscal year affected, and no such levy shall be made in one fiscal year for any future fiscal year or years. Neither shall any such levy be made in any fiscal year of such county except within the constitutional and statutory limitations now in force and applicable to the levy and collection of county taxes in this Commonwealth. All funds derived by the county tax levy authorized by this section shall be collected in the usual way, and shall be promptly turned over to the aforesaid board to be expended by it for the purposes of this act; and said board shall in all respects receive, disburse, and handle the funds so raised by such county levy and taxation, agreeably to the provisions of this act, in the same manner as it is directed to receive, disburse, and handle funds raised hereunder through the issuance and sale of the aforesaid bonds. Also, all the general provisions of this act in regard to officers and employees, and the construction, furnishing, and equipment of said hospital, shall apply alike to the funds derived from the sale of the aforesaid bonds and from the county tax provided for by this section.

SEC. 13. *Act not to interfere with existing board, etc.*—Nothing in this act shall be construed as interfering with, or abridging, the regular duties and powers of any "Board of tuberculosis hospital," already created and acting under the provisions of section 3037-c, Kentucky Statutes; but any such existing board is hereby authorized, empowered, and directed to discharge the duties imposed by this act; and whenever the work of acquiring, constructing, furnishing, and equipping said hospital as herein provided for is fully completed, the special powers of said board herein conferred for the purposes of carrying out the provisions of this act shall cease. At the conclusion of said work, all property, real, personal, and mixed, franchises, easements, maps, books, plans, and papers, however acquired by said board under the provisions of this act, shall be held and used by said board for the purposes of such joint city and county tuberculosis hospital agreeably to section 3037-c, Kentucky Statutes, and any acts amendatory thereto; and said hospital shall be, and remain, under the supervision of said board, and shall be maintained for the purposes named in section 3037-c, Kentucky Statutes, and of acts amendatory thereto.

SEC. 14. *Board may receive gifts and donations.*—Said board is hereby empowered and authorized to receive any gifts or donations of money, securities, lands, buildings, or other property to be used in supplementing the fund to be derived under the provisions of this act for the purposes herein set forth, and to take a title in itself for all such gifts or donations, and to use same in the most advantageous way, as its discretion may determine, for the purposes named in this act: *Provided, however,* The acceptance of any gifts or donations shall be wholly within the discretion of said board.

SEC. 15. *Valid claims for damage, how paid.*—The board shall pay out of the funds derived under the provisions of this act all valid claims, if any, for damages, or otherwise, which may be preferred against it; and neither said city nor said county shall be liable for any debt which said board may incur, or for any claim for damages which may be asserted or awarded against said board.

SEC. 16. *Special powers of board to cease if bond issue defeated.*—In the event the voters of said city, under the aforesaid submission ordinance, shall defeat the said bond issue, then, on the first day of January, 1923, the special powers conferred on said board by this act shall cease.

SEC. 17. *Inconsistent provisions of sections 1872 to 1881, Kentucky Statutes, repealed.*—So much of sections 1872 to 1881, inclusive, Kentucky Statutes, Carroll's Edition of 1915, providing for the voting and issuance of county bonds for the purpose of providing funds for the erection and repair of public county buildings, which may be inconsistent, or in conflict, with the provisions of this act, are hereby repealed; but to no further extent whatsoever.

SEC. 18. *Partial repeal of sections 2827 and 2861, Kentucky Statutes.*—Section 2827, Kentucky Statutes, vesting in the board of public works of cities of the first class supervision and control over the construction of all public buildings and public improvements, to the extent that same conflicts with the provisions of this act, shall stand repealed; but to no further extent. Also, section 2861, Kentucky Statutes, vesting in the board of public safety exclusive control of all matters relating to the health department, and to all charitable, hospital, and like buildings and institutions of cities of the first class, to the extent that said section conflicts with the provisions of this act, shall likewise stand repealed; but to no further extent.

SEC. 19. *Legal services.*—All legal services or advice required by said board shall be rendered by the city attorney of such city, and his assistants, without any additional compensation to them therefor.

SEC. 20. *Repealing clause.*—All acts or parts of acts in conflict or inconsistent herewith are hereby repealed.

SEC. 21. *Invalidation of any provision; effect.*—If any section, paragraph, clause, or separable provision of this act shall be held to be invalid, such fact shall not affect or render invalid, any other section, paragraph, clause, or separable provision of the act, it being the intention of the general assembly, in enacting this act, to enact each section, paragraph, clause, and provision separately.

SEC. 22. *Liberal construction of act.*—This act, and all and each of its various sections and provisions, shall be liberally construed in favor of the purposes of the act.

Ice Cream—Definitions and Standards—Sale. (Reg. Bd. of H., Sept. 2, 1922)

Ice cream is a frozen product made from cream and sugar, with or without a natural flavoring, and contains not less than 10 per cent of milk fat.

Fruit ice cream is a frozen product made from cream, sugar, and sound, clean, mature fruits, and contains not less than 8 per cent milk fat.

Nut ice cream is a frozen product made from cream, sugar, and sound, non-rancid nuts, and contains not less than 8 per cent milk fat.

The sale of ice cream containing a high bacterial count and the presence of *B. coli* is prohibited, and the finding of such samples will be immediate cause for prosecution. A high count in ice cream shall be considered any count over 500,000 per c. c.

Eggs—Sale—Candling—When Deemed Unfit for Human Food. (Ch. 72, Act Mar. 23, 1922)

SECTION 1. No person, firm, or corporation engaged in the buying and selling of eggs shall sell, offer or expose for sale, or traffic in, any eggs unfit for human food, unless the same is broken in shell and denatured so that it can not be used for human food. For the purpose of this act, an egg shall be deemed unfit for human food if it be addled or moldy, has [sic] a black rot, a white rot, or a blood ring, or if it has an adherent yolk or a bloody or green white; or if it be incubated beyond the blood ring stage; or if it be composed in whole or in part of a filthy, decomposed, or putrid substance.

SEC. 2. That between May 15 of each year and January 15 of the following year no person, firm, or corporation engaged in the buying and selling of eggs shall buy or sell eggs without candling them, and no payment either in cash or merchandise shall be made for those unfit for food. No person, firm, or corporation shall, in buying or selling eggs, take or give a greater or less dockage for eggs unfit for food as defined in section 1 of this act than the actual dockage which has been determined by the careful handling [candling] of the eggs so purchased or sold.

SEC. 3. The term "candling" as used herein shall be construed to mean the careful examination of the whole egg in a partially dark room or place suitable for the purpose. The apparatus and method employed to be such as shall be approved by the Kentucky Agriculture Experiment Station.

SEC. 4. Any person, firm, or corporation failing to comply with the requirements of or violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction be fined not less than \$10 nor more than \$50 for each offense.

Births and Deaths—Registration. (Ch. 76, Act Mar. 23, 1922)

That section 4 of paragraph 6062a, chapter 63, Carroll's Kentucky Statutes, being an act of the General Assembly of 1910, creating the bureau of vital statistics, be and the same is hereby amended so as to read as follows:

4. That after the passage of this act the county health officer in each county of the State shall appoint a local registrar of vital statistics for each registration district in his county from lists of three names for each registration district furnished by the State registrar, excepting for such cities or towns or other registration districts in said county as may otherwise be provided for. The said county health officer may appoint as local registrar any registration official under this act, undertaker, person or persons who furnish coffins, or any county or city official who shall serve ex officio, for the district or district[s] designated by the county health officer, provided the name or names of said registration officials, undertakers or persons furnishing coffins, or county or city officials appear on the list of names furnished by the State registrar for the said registration districts.

The term of office of local registrars, appointed by said county health officers, shall be for four years beginning with July 1, 1922, and their successors shall be appointed at least 10 days before the expiration of their terms of office. Should any local registrar die, resign, refuse to serve, or be removed from office, the vacancy thereby created shall be filled by the county health officer appointing some one to serve for the remainder of the unexpired term in the same manner as heretofore provided for.

Any local registrar who shall fail or neglect to perform efficiently the duties of his office as laid down in this act, or who fails to make prompt and complete returns of births and deaths as required hereby, shall be forthwith removed from his office by the county health officer and his successor appointed, in addition to any other penalties that may be imposed under other sections of this act, for failure to perform the duties required of him.

Each local registrar shall, immediately upon acceptance of appointment as such, appoint one or more deputies, whose duties it shall be to act in his stead in case of his absence, illness, or disability, and who shall accept such appointment in writing, which acceptance shall be filed in the office of the State registrar, and who shall be subject to all rules and regulations governing the actions of local registrars: *Provided*, That in cities or towns where health officers, or secretaries of local boards of health, or other officials, at the date of this act, are officiating as registrars of births and deaths under local ordinances to the satisfaction of the

State registrar, such officers shall be continued as registrars in and for such cities and towns, but shall be subject to the rules and regulations of the State board of health and to all the provisions of this act. It shall be the duty of the deputy registrars appointed under this act to report promptly to the local registrar any and all certificates of births and deaths occurring in the registration district for which they are appointed, and it shall be unlawful for any local or deputy registrar, sexton, physician, or undertaker to charge a fee to any member of a family in which a birth or death may occur for complying with any of the provisions of this act.

Section 18 of said act is hereby amended by adding thereto the following:

"The State board of health shall, every five years, have printed and bound in suitable volumes, and not to exceed in number 150 sets of said volumes, an alphabetical index list of all births and deaths reported and registered under this act, setting out the full name appearing on the certificate, followed by the name of the county, the complete date, the volume and certificate numbers, and in cases of births the name of the mother, and the State registrar shall certify to the correctness of said index list. The information contained in this index list shall constitute and be accepted as 'prima facie' evidence of facts in all courts of the State.

"A copy of the volume or volumes containing this index list shall be furnished and delivered to each and every county court clerk in the State, and same shall become a part of the permanent records of the county, and shall be preserved and kept in fireproof vaults.

"The cost of preparing, printing, and delivering said index list shall be paid for from funds in the State treasury not otherwise appropriated and in the same way and manner as other public printing."

So that said section as amended shall read as follows:

18. That the State board of health shall prepare, print, and supply to all registrars suitable blanks and forms used in registering, recording, and preserving the returns or in otherwise carrying out the provisions of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State board of health. The State registrar shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the certificate complete and satisfactory. And all physicians, midwives, or undertakers connected with any case are hereby required to furnish such information as they may possess regarding any birth or death, upon demand of the State registrar in person, by mail, or through the local registrar. He shall, further, arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births, sickness, and deaths registered; the cards to show the name of the child, deceased, place and date of birth, sickness or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that, when sickness and deaths occur from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases.

The State board of health shall, every five years, have printed and bound in suitable volumes, and not to exceed in number 150 sets of said volumes, an alphabetical index list of all births and deaths reported and registered under this act, setting out the full name appearing on the certificate, followed by the name of the county, the complete date, the volume and certificate numbers, and in cases

of births the name of the mother, and the State registrar shall certify to the correctness of said index list. The information contained in this index list shall constitute and be accepted as "prima facie" evidence of facts in all courts of the State.

A copy of the volume or volumes containing this index list shall be furnished and delivered to each and every county court clerk in the State and shall become a part of the permanent records of the county, and shall be preserved and kept in fireproof vaults.

The cost of preparing, printing, and delivering said index list shall be paid for from funds in the State treasury not otherwise appropriated and in the same way and manner as other public printing.

Housing Act Repealed. (Ch. 123, Act of 1922)

SECTION 1. That an act entitled ["An act concerning dwelling houses in cities of the first class and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control and regulation, and providing penalties for violation of this act, "] being chapter 68¹ of the Acts of the General Assembly of 1920 session, therof, and which was approved by the governor March 23, 1920, and subsequently became a law, be and the same is hereby repealed.

¹ Supplement 43 to Public Health Reports, p. 131.

LOUISIANA

State Tuberculosis Commission—Creation—Meetings—How Constituted—Compensation of Members. (Act 121, July 13, 1922)

SECTION 1. That section 1 of Act 161 of 1912 as amended and reenacted by Act 168¹ of 1918 be amended and reenacted so as to read as follows:

SECTION 1. That a tuberculosis commission for the State of Louisiana is hereby created to consist of nine members. At meetings of the said commission five shall constitute a quorum. The domicile of the said commission shall be in the city of New Orleans. The commission shall meet at least every three months at a date to be fixed by it and oftener as the commission may determine. Special called meetings may be held at the request of the members or as necessity may dictate to the president or ex officio president of the commission.

SEC. 2. That section 2 of Act 161 of 1912 as amended and reenacted by Act 168 of 1918 be amended and reenacted so as to read as follows:

SEC. 2. That the commission shall be composed of the Governor of the State of Louisiana, the attorney general of the State of Louisiana, the president of the State board of health, the secretary of the State board of health, all of whom shall serve and shall be qualified by virtue of their several offices and shall, on induction into their offices, become immediately members of said commission.

In addition to which membership the governor shall appoint and commission as members three physicians, registered as such under the Statutes of Louisiana and qualified in experience in antituberculosis work, but not holders of any State, parish, or municipal office. The governor to select one such appointee from a list of three New Orleans physicians submitted by the Louisiana Antituberculosis League and to select the remaining two physicians from a list of six physicians nominated by said league from among the reputable medical men of the State. In addition to which membership the governor shall appoint and commission as members two women, one of whom shall be selected from the city of New Orleans.

SEC. 3. The Governor of the State of Louisiana shall be the ex officio president of said commission, but the active executive functions of president of said commission shall be exercised by the president of the State board of health, who shall be designated president of said commission. The secretary of the State board of health shall be the secretary-treasurer of said commission.

No member or officer of said commission shall have or receive any emolument or compensation from said commission of any character whatsoever, excepting only bona fide traveling and transportation expenses, while attending meetings of said commission or while engaged upon the business of the commission.

Births and Deaths—Fees to Physicians, Midwives, and Other Persons in Connection with the Issuance of Certificates of. (Act 25, July 13, 1922)

SECTION 1. That physicians, midwives, and other persons required to issue certificates of births and deaths under the provisions of Act 257² of 1918 shall be entitled to receive a fee of 25 cents for each certificate thus issued.

SEC. 2. That the fee provided for by section 1 shall be paid in accordance with the provisions of Act 60³ of 1914.

¹ Supplement 38 to Public Health Reports, p. 113. ² Supplement 38 to Public Health Reports, p. 124

³ Reprint 279 from Public Health Reports, p. 54.

MARYLAND

Communicable Diseases—Measures to be Taken and Regulations to be Adopted and Enforced by the State Board of Health to Prevent the Introduction and Spread of—Conferences of Health Officers. (Ch. 226, Act Apr. 13, 1922)

SECTION 1. That section 23 of article 43 of the Annotated Code of Maryland, title "Health," be and the same is hereby repealed and reenacted so as to read as follows:

23. It shall be the duty of the State board of health to take such action and adopt and enforce such rules and regulations as may be necessary to prevent the introduction of any infectious or contagious disease into this State, or to prevent the spread of any infectious or contagious disease whether or not such disease shall exist within this State at the time of the passage of this act, and any person or persons or corporations refusing or neglecting to obey such rules and regulations, after due notice thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 for every such offense. Whenever necessary, the State board of health may call public conference of health officers, or may, by a vote of a majority of its members, send a delegate to any conference of local, State, or national health officers.

Communicable Diseases—Temporary Exercise by Attending Physician of Powers of County Health Officers to Restrict or Suppress. (Ch. 271, Act Apr. 13, 1922)

SECTION 1. That a new section be and it is hereby added to Article 43 of the Annotated Code of Maryland, title "Health," subtitle "Infectious diseases—Smallpox," to be known as Section 40A, to follow after section 40 of said article and to read as follows:

40A. Any physician called to attend a person suffering with any disease embraced within the provisions of section 40 of this article shall have the power to exercise all the powers conferred by said section upon the health officers of the several counties to restrict or suppress such disease or diseases until the health officer of the county wherein said disease may occur shall investigate the matter as directed in section 40. Said attending physician may exercise said power without securing the prior approval of the board of health of the county; but said power shall be exercised only during the emergency existing until the county health officer shall make his investigation, and immediately upon said investigation, the power hereby conferred upon the attending physician shall cease. This section shall not apply to Baltimore City.

SEC. 2. That this act shall take effect June 1, 1922.

Tuberculosis—Certain Provisions of Law Relating to, Repealed—Distribution of Printed Instructions and Materials and Supplies to Prevent the Spread of. (Ch. 154, Act Apr. 13, 1922)

SECTION 1. That sections 85, 86, 87, 88, 90, 91 (section 91 having been amended by chapter 315 of the Acts of 1920), 92 and 93 of article 43 of the Annotated Code of Maryland, title "Health," subtitle "Tuberculosis," be and the same are hereby repealed.

SEC. 2. That a new section, to be known as section 85, be and the same is hereby added to article 43 of the Annotated Code of Maryland, title "Health," subtitle "Tuberculosis," to be known as section 85 of said article, and to read as follows:

SEC. 85. The State board of health shall prepare and furnish the local health officers or the physician attending any person infected with tuberculosis, upon due requisition, such printed instructions and precautions and such supplies and materials as it shall deem necessary for the prevention of the spread of the disease.

State Tuberculosis Hospital for Advanced Cases—Administrative Commission for. (Ch. 326, Act Apr. 13, 1922)

SECTION 1. That a new section be and the same is hereby added to chapter 650 of the Acts of the General Assembly of Maryland of 1920 [1912], entitled "An act to provide a sanatorium on the Eastern Shore of Maryland for advanced cases of tuberculosis, to appropriate a sum of money therefor, and to create a commission of administration thereof," the same to follow immediately after section 4 of said chapter 650 of the Acts of 1920, to be numbered section 4A, and to read as follows:

4A. The commission provided for by section 4 of this act, shall, on or before June 15, 1922, be succeeded by a commission consisting of the governor, State treasurer, and comptroller of the treasury, ex officio, and nine other persons who shall be appointed by the governor, as follows: Three for a term of two years, three for a term of four years, and three for a term of six years. Thereafter the governor, biennially, with the advice and consent of the senate, shall appoint three persons for a term of six years dating from the 15th day of June succeeding their appointment. They shall hold office until their successors are qualified, so that there shall always be nine appointed members of the commission. In case of vacancy, the governor shall appoint for the unexpired term. The commission shall serve without compensation.

SEC. 2. That this act shall take effect from and after June 1, 1922.

Administrative Code—Provisions of, Relating to the State Department of Health, State Board of Health, and State Director of Health. (Ch. 29, Act Mar. 1, 1922, as Amended by Ch. 452, Act Apr. 13, 1922)

SECTION 1. That upon the taking effect of this act the executive and administrative departments, boards, commissions, institutions, and officers of the State government of Maryland mentioned in this act shall be organized, established, continued, or abolished, and shall have and exercise the rights, powers, duties, obligations, and functions as herein provided.

PART I. GENERAL PROVISIONS

SECTION 1. The executive and administrative departments, boards, and commissions of the State government are hereby created or recognized and continued as follows:

*	*	*	*	*	*	*
IX. The department of health.						
*	*	*	*	*	*	*

[PART II] IX. THE DEPARTMENT OF HEALTH

SECTION 1. The head of the department of health shall be the State board of health, constituted and organized as at present, except as hereinafter provided, and having and exercising the rights, powers, duties, obligations, and functions now or hereafter conferred by law.

SEC. 2. On the taking effect of this act, section 1 of article 43 of the Annotated Code, title "Health," subtitle "State board of health," shall be repealed and reenacted with amendments so as to read as follows:

It shall consist of eight members as follows: One shall be an experienced civil engineer, another an experienced certified pharmacist, and four shall be experienced physicians, all to be appointed by the governor, with the advice and consent of the senate; and the governor shall designate one of the four experienced physicians as the chairman; the remaining members of the board shall consist of the attorney general of the State and the commissioner of health of the city of Baltimore. The persons so appointed by the governor shall hold office for 6 years, provided that those first appointed under this act shall be so classed by the governor that the terms of office of two shall expire on the first Monday of May, 1924, the terms of office of two on the first Monday of May, 1926, and the terms of office of two on the first Monday of May, 1928, and thereafter in each case the governor, with the advice and consent of the senate, shall appoint two members in the place of the two whose terms shall so expire. All vacancies among said members shall be filled by the governor with the advice and consent of the senate. The physician designated as chairman shall be skilled in public health and hygiene.

SEC. 3. On the taking effect of this act, chapter 104¹ of the Acts of 1920, entitled "An act to authorize and direct the governor to appoint an additional member of the State board of health, and to provide for the qualifications of such member," shall be and stand repealed.

SEC. 4. On the taking effect of this act a new section shall be added to article 43 of the Annotated Code, title "Health," said new section to follow immediately after section 1 of said article, to be known as section 1A, and to read as follows:

1A. The chairman of the board shall be known as the director of health. He shall be the executive officer of the board, and shall receive such compensation as may be allowed in the budget. On the taking effect of this act, all the rights, powers, duties, obligations and functions conferred by article 43 of the Annotated Code, title "Health," and any sections or provisions thereof, or by any other provisions of law, upon the secretary of the State board of health, shall be transferred to and thereafter be exercised and performed by the said chairman of the board, as the lawful successor to the said secretary, to the same extent and effect as if the said chairman had been named in said provisions of the law as the official upon whom the said rights, powers, duties, obligations and functions were conferred. Thereupon the office of secretary of the board shall cease and be abolished.

* * * * *

PART III. GOVERNOR'S ADVISORY COUNCIL

SECTION 1. For the purpose of promoting coordination and effective supervision over the conduct of the State government, the following shall constitute an advisory council for the governor.

* * * * *

The director of health

* * * * *

The said advisory council shall meet with the governor, from time to time, for the consideration of general State policies, finances, departmental and institutional work, and conditions.

SEC. 2. *General repeal and effective clauses.*—That all laws and parts of laws conflicting or inconsistent with the provisions of this act are hereby repealed.

SEC. 3. That this act shall take effect on and after the first day of January, 1923.

¹Supplement 43 to Public Health Reports, p. 167.

**State Department of Health—Designation of Bureaus Authorized to be Established.
Bureau of Child Hygiene—Duties. (Ch. 482, Act Apr. 13, 1922)**

SECTION 1. That section 24 of article 43 of the Annotated Code of Maryland, title "Health," be and the same is hereby repealed and reenacted so as to read as follows:

24. The State board of health is authorized and empowered to establish six bureaus, to be known as the bureau of communicable diseases, the bureau of bacteriology, the bureau of chemistry, the bureau of sanitary engineering, the bureau of vital statistics, and the bureau of child hygiene.

SEC. 2. That a new section be added to article 43 of the Annotated Code of Maryland, title "Health," said section to be known as section 29A, to follow immediately after section 29 of said article, and to read as follows:

29A. The bureau of child hygiene shall investigate the causes of infant mortality and the diseases of pregnancy, parturition, infancy, and early childhood, and shall devise and institute preventive measures for their control; it shall promote the welfare and hygiene of maternity and infancy and perform such other duties and exercise such other functions as the State board of health or the secretary thereof shall designate: *Provided*, That no official, agent, or representative of this bureau shall enter any home or take charge of any child over the objection of any parent or guardian of such child or the person having the custody of such child, and no such official, agent, or representative shall attempt to enforce any treatment or correction, except with the consent of the parents of such child or the person standing in loco parentis.

Full-Time County Health Officers—Appointment Authorized—Powers, Duties, and Compensation—Act not Applicable to Certain Counties. (Ch. 483, Act Apr. 13, 1922)

SECTION 1. That a new section be and the same is hereby added to article 43 of the Annotated Code of Maryland, title "Health," to be known as section 39, and to read as follows:

39. The local board of health of each county may, whenever they shall deem it necessary or desirable, require that any qualified physician appointed by such board as county health officer shall be trained in sanitary science, public health and hygiene and shall not, so long as he shall hold that office, engage in any other occupation which would conflict with the performance of his duties as health officer. He shall have all the powers and duties which are now or may hereafter be conferred upon county health officers by law; he shall enforce all the public health statutes and rules and regulations of the State board of health or the local board of health, under the direct supervision and control of the local board of health, and shall perform such other duties and exercise such other functions as the local board of health shall direct. The local board of health may make and enter into a contract with such county health officer for such period of time as may be mutually agreeable, but not longer than the terms of office of the members of said local board of health and may fix the salary of any county officer appointed subject to the provisions of this section, without regard to the provisions of section 36 of this article. This section shall not apply to Prince Georges County, Charles County, and St. Marys County.

Poultry Soaked in Water—Provision of Law Prohibiting the Sale of, Repealed
(Ch. 297, Act Apr. 13, 1922)

SECTION 1. That section 184A of article 27 of the Annotated Code of Maryland, title "Crimes and punishments," subtitle "Fraud—Poultry," as enacted by chapter 650² of the Acts of 1920, be and the same is hereby repealed.

Nonalcoholic Beverages—Manufacture, Bottling, and Sale. (Ch. 120, Act Mar 13, 1922)

SECTION 1. That certain new sections be added to the Annotated Code of Maryland, article 43, title "Health," subtitle "Adulteration of food and drink," to come just before section 151 of said article and to read as follows:

SEC. 150A. That no person, firm, or corporation shall manufacture for sale in bottles or jugs any soft drink or other nonalcoholic beverage (except apple cider) within this State without having first applied for and having received a license from the State board of health. Said application shall contain the name of the applicant, his address, and the location of his manufacturing plant or plants, the name of the beverage or beverages manufactured, and such other pertinent information as shall be prescribed by the State board of health in pursuance of the provisions of this act. This application shall be accompanied by a fee of \$25, upon receipt of which application and fee, the State board of health shall issue to said applicant a license for the manufacture of the beverages mentioned in this section. Said license shall extend for one year from the date of its issue, unless sooner revoked, as herein provided, and shall be renewed annually thereafter. A license may be denied at the time of application if the establishment of the applicant is known to be in an unsanitary condition or if the water supply is known to be dangerously polluted. No soft drink or other nonalcoholic beverage (except apple cider) not manufactured in this State shall be sold or offered for sale in the State of Maryland unless same is first inspected and registered with the State board of health, and an inspection fee of \$5 for each such drink or other nonalcoholic beverage bearing a distinguishing flavor or name shall be paid by said manufacturer, his agent or dealer, to the State board of health, same to be renewed annually.

SEC. 150B. That all moneys collected by the State board of health under the provisions of this act shall be paid into the State treasury.

SEC. 150C. That persons, firms, or corporations granted a license to manufacture soft drinks or other nonalcoholic beverages must comply with the sanitary inspection law, chapter 678,³ Laws of Maryland, 1914, and with the following requirements:

(a) Every building, room, basement, or cellar, occupied or used for the preparation for sale, manufacture, packing, storage, sale, or distribution of any drink products shall be properly lighted, drained, plumbed, and ventilated and conducted with due regard for the purity and wholesomeness of the products therein produced, and with strict regard to the influence of such conditions upon the health of the operatives, employees, clerks, or other persons therein employed. The term "drink products" as used herein shall include all water, beverages, soft drinks, and like products, whether simple, mixed or compound, and all substances or ingredients used in the preparation thereof.

(b) The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every establishment where drink products are manufactured, packed, stored, sold, or distributed shall at all times be kept in a clean, healthful, and sanitary condition.

² Supplement 43 to Public Health Reports, p. 170.

³ Reprint 279 from Public Health Reports, p. 70.

(c) Drink products in the process of manufacture, preparation, packing, storing, sale, or distribution must be securely protected from flies, dust, dirt, and, as far as may be necessary, from all other foreign or injurious contamination.

(d) All refuse, dirt, and waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, and distribution of drink products must be removed from the premises daily.

(e) All bottles, jugs, barrels, and other containers used in the packing, storage, distribution, and sale of drink products must be cleansed with water containing a detergent or cleansing mixture, and before filling with food product must be sterilized with boiling water, live steam, or a solution of sodium hypochlorite, or by some other effective system which meets with the approval of the board of health. It is provided, however, that when bottles are washed by machine with the water at a temperature of at least 125° F. and containing a cleansing mixture of a strength equivalent to at least 2½ per cent caustic soda, and are rinsed with clean pure water, sterilization with steam, hot water, or sodium hypochlorite may be dispensed with. All water used for rinsing must be potable and of good sanitary quality. The cleansing solution must be changed frequently so as to prevent its becoming foul and insanitary.

(f) The clothing of operatives, employees, clerks, or other persons must be clean.

(g) The side walls and ceilings in that part of bottling establishments in which the beverages or sirups are manufactured shall be kept oil painted or well lime washed, and all interior woodwork in every bottling establishment shall be kept washed and cleaned with soap and water, and every building, room, basement, or cellar occupied for use in the preparation, manufacture, packing, storage, sale, or distribution of drink products shall have an impermeable floor made of cement or tile, laid in cement, brick, wood, or other suitable nonabsorbent material which can be flushed and washed clean with water.

(h) The doors, windows, and other openings of sirup rooms or any part of a bottling establishment used in the manufacture or mixing of sirups and extracts, etc., shall be fitted with self-closing screen doors and wire window screens made with wire of not less than 14 meshes to the inch.

(i) No employer shall knowingly permit, require, or suffer any person to work in a bottling establishment who is afflicted with any contagious or infectious disease or with any skin disease.

(j) Every bottling establishment shall be provided with or have available for use, a convenient washroom and toilet of sanitary construction, but such toilet shall be entirely separate and apart from any room used for the manufacture or storage of drink products.

SEC. 150D. That persons, firms, or corporations granted a license to manufacture soft drinks or other nonalcoholic beverages must manufacture and label their products in compliance with the food and drug law of Maryland, chapter 156, Acts of 1910, chapter 667, Acts of 1916, chapter 333,⁴ Acts of 1920.

SEC. 150E. That all licenses granted shall be numbered and bear the name of the town or city and the street address where the establishment is located, and all permits so granted shall be displayed in a conspicuous place on the premises so covered.

All delivery trucks and wagons maintained by persons holding permits shall be kept clean and shall bear the permit number and the name of the town or city where the establishment is located.

⁴ Supplement 43 to Public Health Reports, p. 170.

SEC. 150F. That the State board of health shall have the power to revoke any license issued under the provisions of this act whenever it is determined by itself or any of its deputies, chemists, or other properly qualified officials that any of the provisions of this act have been violated. Any person, firm, or corporation whose license has been so revoked shall discontinue the manufacture or sale within this State of soft drinks, sirups, or other nonalcoholic beverages until the provisions of this act have been complied with and a new license issued. The State board of health may revoke such license temporarily until there is a compliance with such conditions as it may prescribe, or permanently for the unexpired period of such license.

SEC. 150G. That before revoking any license the State board of health shall give written notice to the licensee affected, stating that it contemplates the revocation of the same and giving its reasons therefor. Said notice shall appoint a time of hearing before said board or its deputies, and shall be mailed by registered mail to the licensee. On the day of hearing the licensee may present such evidence to the State board of health as he deems fit, and after hearing all the testimony the State board of health shall decide the question in such a manner as to it appears just and right.

SEC. 150H. That any licensee who feels aggrieved at the State board of health may appeal from said decision within 10 days by writ of certiorari to the circuit court of the county or to Baltimore City, as the case may be, where licensee resides, and issue shall be framed in said court and a trial had and its decision shall be final.

SEC. 150I. That the use of saccharin, dulcin, glucin, and other artificial sweeteners is prohibited.

SEC. 150J. That for the purpose of this act, all soft drinks or other nonalcoholic beverages, except nonalcoholic fruit juices, shall consist of a beverage made from pure cane or beet sugar sirup or such other sweetening liquids or substances as shall be permitted by the regulations of the State board of health, containing pure flavoring material with or without added fruit acid, with or without added color, provided that nothing in this act shall prohibit the use of any other harmless ingredient in the manufacture of soft drinks or other nonalcoholic beverages. The provisions of this section shall not apply to nonalcoholic beverages made in imitation of beer, bitter drinks, and other similar drinks. It is provided further that when artificial coal-tar colors are used nothing but the certified colors as approved by the Federal Government are permissible.

SEC. 150K. That this act shall be construed as in no way affecting, modifying, or changing in any manner any act passed by the legislature relating to the liquor traffic.

SEC. 150L. That any person, firm, or corporation who shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for a period of not more than 90 days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 150M. That the food and drug commissioner of the State board of health shall be charged with the act of enforcement of the provisions of this act.

SEC. 150N. Nothing in this act shall apply to persons, firms, or corporations operating a soda fountain, provided the soft drinks there manufactured shall be used on the premises.

Habit-Forming Drugs—Prosecution of Persons Violating Law Relating to. (Ch. 495, Act Apr. 13, 1922)

SECTION 1. That section 254 of article 27 of the Annotated Code of Public General Laws, title "Crimes and punishments," subtitle "Health—Narcotic Drugs," be and the said section is hereby repealed and reenacted with amendments so as to read as follows:

SEC. 254. It shall be the duty under this act of all judges of courts having criminal jurisdiction in this State at every regular term thereof to charge all regularly impannelled juries to diligently inquire into and investigate all cases of the violation of the provisions of this subtitle, and to make a true presentment of all persons guilty of such violations. It shall be the duty of the State board of health, as well as all prosecuting officers, to cause the prosecution of all persons violating the provisions of this subtitle.

All criminal proceedings pending or which may be hereafter instituted for offenses already committed shall be instituted, proceeded with, and prosecuted to final determination and judgment as if this act had not been passed.

SEC. 2. That this act shall take effect June 1, 1922.

Wash Rooms at Coal Mines—Establishment, Maintenance, and Sanitary Requirements. (Ch. 307, Act. Apr. 13, 1922)

SECTION 1. That 161 new sections are hereby added to article 89 of the Annotated Code of Maryland, title "Statistics and information as to branches of industry," said new sections to be under the subtitle "Bureau of mines," and to be known as sections 16 to 176, inclusive, and to follow immediately after section 15 of said article, * * *. Said sections 16 to 176 to read as follows:

* * * * *

SEC. 170. Upon submission of an application signed by 60 per cent of the employees in and about any coal mine within this State, approved by the bureau, the operator of such mine shall provide and maintain at a convenient point near the principal entrance of such mine an adequate and sanitary washroom for the use of the employees of such mine; or upon submission of an application signed by 25 per cent of such employees, approved as aforesaid, such operator shall provide and maintain at a location convenient for its use by such employees, near to an entrance of such mine, a sanitary washroom adequate for the needs of such signatory employees; all washrooms to be heated, provided with hot and cold water and suitable means for bathing, and with lockers sufficient in number and adequate in size for the employees, at their own risk, under locks provided by themselves to store their personal clothing and belongings. The cost of operation of such washroom to be borne as may be agreed upon by such operator and such employees.

MASSACHUSETTS

Surgical or Nonpulmonary Tuberculosis—Investigation by State Department of Public Health Relative to Providing Additional Hospital Accommodations for the Treatment of. (Ch. 26, Resolve Apr. 14, 1922)

Resolved, That the department of public health is hereby directed to investigate the feasibility of providing new or additional hospital accommodations for the treatment of surgical or nonpulmonary tuberculosis. Said department shall report its findings and recommendations, together with any legislation recommended by it, to the general court not later than the second Wednesday of January, 1923.

Pupils—Medical Inspection of, in Certain Cases. (Ch. 120, Act Mar. 7, 1922)

Chapter 71 of the General Laws is hereby amended by striking out section 55 and inserting in place thereof the following:

SEC. 55. The school committee shall cause to be referred to a school physician for examination and diagnosis every child returning to school without a certificate from the board of health after absence on account of illness from infectious or contagious disease. Every child attending school who shows signs of ill health or of suffering from infectious or contagious disease shall be referred to a school physician, unless at once excluded from the school by the teacher. But in the case of schools remotely situated, the committee may make such other arrangements as may best accomplish the purposes of this section.

Tuberculosis Hospitals—Powers of Counties Relative to. (Ch. 393, Act May 9, 1922)

SECTION. 1 Chapter 111 of the General Laws is hereby amended by striking out section 82 and inserting in place thereof the following:

SEC. 82. County commissioners shall, in carrying out sections 78 to 90, inclusive, raise and expend such sums of money for acquiring land and constructing and equipping hospitals, and for the purchase, alteration, and enlargement of existing buildings, and for all other purposes, as may be authorized by the general court. They may borrow, on the credit of the county, when so authorized by the general court, the said sums, and issue notes of the county therefor, with such interest as may be fixed under section 39 of chapter 35 payable semiannually, or without interest, in which case they may sell such notes at such discount as they deem proper. The notes shall be signed by the county treasurer and countersigned by the county commissioners. The county may sell the said securities, at public or private sale, on terms and conditions deemed proper, but the proceeds shall be used only for the purposes specified in sections 78 to 90, inclusive. Said notes may be renewed from time to time until all the towns liable have paid to the county treasurer the amounts assessed. All reimbursement from towns shall be applied to the payment of temporary debt incurred under sections 78 to 90, inclusive, by said counties.

SEC. 2. Section 86 of said chapter 111 is hereby amended by inserting at the beginning thereof the words "Subject to section 82" so as to read as follows:

Sec. 86. Subject to section 82, county commissioners may purchase, lease, or take by eminent domain under chapter 79 such land, not exceeding 500 acres, as they may deem necessary or convenient for the purposes set forth in sections 78 to 90, inclusive.

Mental Hygiene—Establishment of Division of, in the State Department of Mental Diseases—Powers and Duties of Department of Mental Diseases and Division of Mental Hygiene Relative to. (Ch. 519, Act June 8, 1922)

SECTION 1. Chapter 19 of the General Laws is hereby amended by inserting after section 4 the following new section:

Sec. 4A. There shall be in the department a division of mental hygiene, under the supervision of a director. The commissioner, with the approval of the governor and council, may employ such expert assistance to serve in said division as may be necessary.

Sec. 2. Chapter 123 of the General Laws is hereby amended by inserting after section 3 the following new section:

Sec. 3A. The department shall take cognizance of all matters affecting the mental health of the citizens of the Commonwealth, and shall make investigations and inquiries relative to all causes and conditions that tend to jeopardize said health, and the causes of mental disease, feeble-mindedness and epilepsy and the effects of employments, conditions, and circumstances on mental health, including the effect thereon of the use of drugs, liquors, and stimulants. It shall collect and disseminate such information relating thereto as it considers proper for diffusion among the people, and shall define what physical ailments, habits, and conditions surrounding employment are to be deemed dangerous to mental health.

Sec. 3. Said chapter 123 is hereby further amended by inserting after section 13 the following new section:

Sec. 13A. Such of the powers and duties conferred or imposed upon the department, relating to the cause and prevention of mental disease, feeble-mindedness, epilepsy, and other conditions of abnormal mentality, as the commissioner may determine, may be exercised and performed by the division of mental hygiene. In addition to said powers and duties, said division shall institute inquiries and investigations for the purpose of ascertaining the causes of mental disease, including epilepsy and feeble-mindedness, with a view to its prevention. It may also establish, foster, and develop out-patient clinics.

Adulterated Food—Publication by State Department of Public Health of Certain Information Relative to. (Ch. 200, Act Mar. 27, 1922)

SECTION 25 of chapter 111 of the General Laws is hereby amended by striking out, in the first and second lines, the words "as often as once each month in," and inserting in place thereof the words "in each issue of," and also by striking out, in the fifth line, the word "month" and inserting in place thereof the word "months," so as to read as follows:

Sec. 25. The department shall publish in each issue of its official departmental publication, and also, if in its opinion the public health can be served thereby, may publish in one or more newspapers in the Commonwealth, a certificate of the examination or analysis made under its authority during the preceding months of any article of food manufactured or offered for sale in the Commonwealth which is adulterated within the meaning of chapter 94; and it shall also publish, with such certificate of examination, a statement of the trade-mark

brand mark, or name, with the name and place of business of the manufacturer, appearing upon the package or box containing such adulterated article, or with the name and place of business of the wholesale dealer of whom the goods were obtained.

Fish—Inspection—Seizure and Disposal of, when Unfit for Food. (Ch. 338, Act Apr. 27, 1922)

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 81 and inserting in place thereof the following:

SEC. 81. The State inspector of fish shall enforce sections 74 to 80, inclusive, and may inspect all fish offered or exposed for sale or kept with intent to sell, and for such purpose may enter any place where fish is stored, kept, offered or exposed for sale. If on inspection it is found that such fish is tainted, diseased, corrupted, decayed, unwholesome, or unfit for food from any cause, the inspector or his deputy shall seize and cause the same to be destroyed forthwith or disposed of otherwise than for food. All money received by the inspector or his deputy for fish disposed of as aforesaid, after deducting the expense of said seizure and disposal, shall be paid to the owner of such fish. The director of the division of fisheries and game of the department of conservation shall from time to time make rules and regulations necessary for the enforcement of sections 74 to 80, inclusive.

SEC. 2. Said chapter 94 is hereby amended by striking out section 82 and inserting in place thereof the following:

SEC. 82. Whoever violates any provision of sections 74 to 80, inclusive, or prevents, obstructs, or interferes with the State inspector of fish or his deputy in the performance of his duties under said sections, or hinders, obstructs, or interferes with any inspection or examination by him, or secretes or removes any fish for the purpose of preventing the inspection or examination of the same under the preceding section, shall be punished by a fine of not more than \$500 or by imprisonment for not more than six months, or both.

Liquors—Analysis of, by the State Department of Public Health. (Ch. 22, Act Feb. 8, 1922)

Section 54 of chapter 138 of the General Laws, as amended by chapter 495 of the acts of 1921, is hereby further amended by striking out, in the third line, the words "a chemical" and inserting in place thereof the word "an," and also by striking out, in the twelfth line, the word "chemical," so as to read as follows:

SEC. 54. The analyst or assistant analyst of the department of public health shall upon request make, free of charge, an analysis of all liquors sent to it by the licensing board of any city, the selectmen of any town, or by police officers or other officers authorized by law to make seizures of liquors, if the department is satisfied that the analysis requested is to be used in connection with the enforcement of the laws of the Commonwealth. The said department shall return to such licensing board, selectmen, police, or other officers, as soon as may be, a certificate, signed by the analyst or assistant analyst making such analysis, of the percentage of alcohol by weight at 60° F. which such samples of liquor contain. Such certificate shall be prima facie evidence of the composition and quality of the liquors to which it relates, and the court may take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he is such.

Vinegar—Definition—Standards—When Deemed Adulterated. (Ch. 524, Act June 12, 1922)

Chapter 94 of the General Laws is hereby amended by striking out section 163 and inserting in place thereof the following:

SEC. 163. Vinegar is hereby defined as being the result of alcoholic and subsequent acetous fermentation of natural fruit juices or vegetable products. Vinegar shall contain no added or artificial coloring matter, and shall contain not less than 4 grams of acetic acid in each 100 cubic centimeters. If vinegar contains any added or artificial coloring matter, or less than the required amount of acidity, or if is other than the product of alcoholic and subsequent acetous fermentation of natural fruit juices or vegetable products, it shall be deemed to be adulterated.

Vinegar—Methods for the Examination of. (Ch. 206, Act Mar. 27, 1922,

Chapter 94 of the General Laws is hereby amended by striking out section 164 and inserting in place thereof the following:

SEC. 164. The methods for the examination of vinegar shall be those adopted by the Association of Official Agricultural Chemists. When no such methods are applicable, such additional methods as are approved by the department of public health and published in its bulletin shall be employed.

Bovine Animals—Tagging of, when Tuberculin Tested—Requirements to be Observed on Transfer of Possession of Reacting Animals. (Ch. 137, Act Mar. 27, 1922)

Chapter 129 of the General Laws is hereby amended by inserting after section 33 the following new section:

SEC 33A. Any bovine animal to which a tuberculin test has been applied may be marked for identification by the insertion into its external ear of a metal tag provided by the director. Any person who sells, exchanges, or otherwise disposes of an animal which to his knowledge has reacted to a tuberculin test shall, at the time said reacting animal leaves his possession, furnish the new owner or person into whose charge the animal is transferred with a true copy of the record of said test or a written statement of the fact of such reaction, signed by him and witnessed. Failure to comply with any provision of this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 30 days.

Diseased Domestic Animals—Appraisal—Destruction—Payments to Owners. (Ch. 353, Act May 2, 1922)

SECTION 1. Section 11 of chapter 129 of the General Laws is hereby amended by striking out, in the thirteenth line, the words "a reasonable amount" and inserting in place thereof the words: "an appraisal of such animal shall be made and the amount of appraisal value," so as to read as follows:

SEC. 11. If the director, or one of his agents, by examination of a case of contagious disease of domestic animals, except foot and mouth disease, is of opinion that the public good so requires, he shall cause the diseased animal to be securely isolated or to be killed without appraisal or payment. An order for killing shall be issued in writing by the director, may be directed to an inspector or other person, and shall contain such direction as to the examination and disposal of the carcass and the cleansing and disinfection of the premises where such animal was condemned as the director considers expedient. A reasonable amount may be paid from the treasury of the Commonwealth for the expense of such killing and burial. If thereafter it appears, upon post-mortem examination or otherwise, that such

animal was free from the disease for which it was condemned, an appraisal of such animal shall be made and the amount of appraisal value therefor shall be paid to the owner by the Commonwealth, except as otherwise provided in section 14 relative to foot and mouth disease.

SEC. 2. Said chapter 129 is hereby amended by striking out section 12 and inserting in place thereof the following:

SEC. 12. If, under the preceding section, any cattle affected with tuberculosis are killed the full market value thereof at the time of condemnation, not exceeding \$25 each, shall be paid to the owner by the Commonwealth if such animal has been owned by him for a period of not less than 60 days, and has been owned and kept within the Commonwealth for 6 consecutive months, both periods being next prior to its killing, or if it has been inspected within said 6 months period and satisfactory proof has been furnished to the director, by certificate or otherwise, that it was free from disease on the date of such inspection, and if the owner has not, in the opinion of the director, by willful act or neglect, contributed to the spread of tuberculosis.

SEC. 3. Said chapter 129 is hereby amended by striking out section 33 and inserting in place thereof the following:

SEC. 33. Except as otherwise provided, a person who has animals tested with tuberculin shall not be entitled to compensation from the Commonwealth for any animals which react to the tuberculin test unless they have been tested by the director or qualified veterinarians acting under his authorization. The director may prescribe rules and regulations for the inspection of cattle by the application of the tuberculin test and for the segregation or slaughter of reacting animals: *Provided*, That no inspection by the application of such test shall be made unless an agreement has previously been entered into for such inspection and application with the owner of the animals or his representative. If, in the opinion of the director, any of the animals react to the test and are slaughtered in consequence thereof, the owner shall be reimbursed by the Commonwealth in the manner hereinafter provided. The director may appoint persons to make appraisals of reacting cattle in conjunction with the owner or his authorized representative. Such appraisal shall be subject to the rights of arbitration and petition set forth in section 31: *Provided*, That the award or damages shall be within the limits prescribed by this section. The Commonwealth shall pay to the owner of any animal slaughtered under authority of any rules or regulations made hereunder one-third of the difference between the amount received by the owner for the carcass of the animal and the value of the animal as determined by appraisal as aforesaid: *Provided*, That in no case shall any payment by the Commonwealth hereunder exceed \$25 for any grade animal, or \$50 for any pure-bred animal: *And provided further*, That the owner or his representative has not, in the opinion of the director, by willful act or neglect, contributed to the spread of bovine tuberculosis.

SEC. 4. From and after August 1, 1923, section 12 of said chapter 129, as amended by section 2 of this act, shall be repealed.

SEC. 5. Sections 1 and 3 shall not take effect until 90 days after the passage of this act.

Hypodermic Instruments—Possession and Sale. Habit-Forming Drugs—Places where Illegally Used, Kept, or Sold Deemed Common Nuisances—Penalty for Unlawful Possession, Sale, or Furnishing of. Drug Addicts, Dipsomaniacs, and Inebriates—Commitment of, for Detention, Care, and Treatment. (Ch. 535, Act June 13, 1922)

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 209 and inserting in place thereof the following:

SEC. 209. No person not being a physician, dentist, nurse, or veterinarian registered under the laws of this Commonwealth or of the State where he resides, or a registered embalmer, manufacturer, or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments, official of any government having possession of the articles hereinafter mentioned by reason of his official duties, nurse acting under the direction of a physician, employee of an incorporated hospital acting under the direction of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation of such articles, shall have in his possession a hypodermic syringe, hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection. No such syringe, needle, or instrument shall be delivered or sold to, or exchanged with, any person except a registered pharmacist, physician, dentist, veterinarian, registered embalmer, manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, a nurse upon the written order of a physician, or an employee of an incorporated hospital upon the written order of its superintendent or officer in immediate charge. A record shall be kept by the person selling such syringe, needle, or instrument which shall give the date of the sale, the name and address of the purchaser, and a description of the instrument. This record shall at all times be open to inspection by the department of public health, the boards of registration in medicine, veterinary medicine, and pharmacy, and the board of dental examiners, authorized agents of said department and boards, and police authorities and police officers of towns. Whoever violates any provision of this section shall be punished by a fine of not more than \$100, or by imprisonment in a jail or house of correction for not more than two years, or both.

SEC. 2. Section 210 of said chapter 94 is hereby amended by striking out, in the fifth and sixth lines, the words "a fine of not more than \$100 or by imprisonment for not more than one year" and inserting in place thereof the words "imprisonment for not less than three months nor more than two years," so as to read as follows:

SEC. 210. Each building, place, or tenement which is resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which is used for the illegal keeping or sale of the same, shall be deemed a common nuisance. Whoever keeps or maintains such a common nuisance shall be punished by imprisonment for not less than three months nor more than two years.

SEC. 3. Said chapter 94 is hereby further amended by striking out section 212 and inserting in place thereof the following:

SEC. 212. Whoever has in his possession a narcotic drug with intent unlawfully to sell and deliver or to exchange such drug, or any part thereof, or whoever unlawfully sells, furnishes, gives, delivers, or exchanges any narcotic drug in violation of any provision of sections 198 to 213, inclusive, shall be punished by imprisonment in the State prison for not more than five years, or in a jail or house of correction for not less than one year nor more than two and one-half years.

SEC. 4. Section 62 of chapter 123 of the General Laws is hereby amended by striking out, in the second and third lines, the words "the Norfolk State hospital" and inserting in place thereof the words "the State farm, or to any other institution under the department of correction that may be designated by the governor," so as to read as follows:

SEC. 62. Any of the judges named in section 50, or a judge of the municipal court of the city of Boston, may commit to the State farm, or to any other institution under the department of correction that may be designated by the governor, to the McLean Hospital, or to a private licensed institution, by an order of commitment, directed to the trustees, superintendent, or manager

thereof, as the case may be, made in accordance with section 51, and accompanied by a certificate, in accordance with section 53, by two physicians qualified as therein provided, any male or female person, who is subject to dipsomania or inebriety, either in public or private, or who is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control. The judge receiving the application for such commitment shall examine on oath the applicant and all other witnesses, and shall reduce the application to writing and cause it to be subscribed and sworn to by the applicant. He shall cause a summons and copy of the application to be served upon such person in the manner provided by section 25 of chapter 276. Such person shall be entitled to a hearing unless after receiving said summons he shall in writing waive a hearing, in which case the judge may issue an order for his immediate commitment as aforesaid, without a hearing, if he is of opinion that the person is a proper subject for custody and treatment in the institution to which he is committed. The commitment may be made forthwith, if the examining physicians certify the case to be one of emergency. A person committed as aforesaid may be detained for two years after the date of his commitment, and no longer.

SEC. 5. Said chapter 123 is hereby further amended by striking out section 80 and inserting in place thereof the following:

SEC. 80. The superintendent or manager of any institution to which commitments may be made under section 62 may, when requested by a physician, by a member of the board of health or a police officer of a town, by an agent of the institutions registration department of Boston, by a member of the State police, or by the wife, husband, guardian, or, in the case of an unmarried person having no guardian, by the next of kin, receive and care for in such institution, as a patient for a period not exceeding 15 days, any person needing immediate care and treatment because he has become so addicted to the intemperate use of narcotics or stimulants that he has lost the power of self-control. Such request for the admission of a patient shall be made in writing and filed at the institution at the time of his reception, or within 24 hours thereafter, together with a statement, in a form prescribed by the department having supervision of the institution, giving such information as it deems appropriate. The trustees, superintendent, or manager of such institutions shall cause to be kept a record, in such form as the department having supervision of the institution requires, of each case treated therein, which shall at all times be open to the inspection of such department and its agents. Such record shall not be a public record, nor shall the same be received as evidence in any legal proceeding. The superintendent or manager of such an institution shall not detain any person received as above for more than 15 days, unless, before the expiration of that period such person has been committed under section 62, or has signed a request to remain at said institution under section 86.

SEC. 6. Section 89 of said chapter 123 is hereby amended by inserting after the word "hospital" in the third line the words "or of any institution to which commitments may be made under section 62," by inserting after the word "department" in the fourth line the words "having supervision of the institution"; by striking out, in the seventh line, the words "supreme judicial" and inserting in place thereof the word "superior"; and by inserting after the word "department" in the eighth line the words "having supervision," so as to read as follows:

SEC. 89. The superintendent or manager of a private institution described in section 3, the superintendent of a State hospital, and of the McLean Hospital, or of any institution to which commitments may be made under section 62,

when authorized thereto by the trustees of such institution, the trustees themselves, the department having supervision of the institution, or, on written application, a judge of probate for the county where the institution is situated, or where the inmate had his residence at the time of his commitment or admission, or a justice of the superior court in any county, after such notice as the said superintendent, manager, trustees, department having supervision, judge or justice, may consider reasonable and proper, may discharge any inmate if it appears upon examination that he will be sufficiently provided for by himself, his guardian, relatives, or friends, or that his detention in such institution is no longer necessary for his own welfare or the safety of the public. If the legal or natural guardian or any relative of an inmate opposes such discharge, it shall not be made without written notice having been given to the person opposing such discharge. This section shall not apply to persons committed by a court under any provision of sections 100 to 105, inclusive.

SEC. 7. Chapter 123, as amended in section 113 by section 1 of chapter 270 of the acts of 1921, is hereby further amended by striking out said section 113 and inserting in place thereof the following:

SEC. 113. At any time prior to the final disposition of a case in which the court might commit an offender to the State prison, the reformatory for women, any jail or house of correction, the Massachusetts reformatory, the State farm, the industrial school for boys, the industrial school for girls, the Lyman School, any county training school, or to the custody of the department of public welfare, for any offense not punishable by death or imprisonment for life, a district attorney, probation officer, or officer of the department of correction, public welfare, or mental diseases may file in court an application for the commitment of the defendant in such a case to a department for defective delinquents established under sections 117 and 124, or to a department for the care and treatment of drug addicts, established by the governor and council under authority of said sections. On the filing of such application the court may continue the original case from time to time to await disposition thereof. If, on a hearing thereon, it appears that the defendant, within a period of three years, has been found guilty of an offense for which he might have been committed to any institution above named or to the custody of the department of public welfare, or that he has been adjudged a juvenile delinquent, and that he is mentally defective, or addicted to the intemperate use of stimulants or narcotics, and is not a proper subject for the schools for the feeble-minded or for commitment as an insane person, the court may commit him to such department for defective delinquents, or to such a department for the care and treatment of drug addicts, as the case may be, according to his age and sex, as hereinafter provided.

SEC. 8. Said chapter 123 is hereby further amended by striking out section 114 and inserting in place thereof the following:

SEC. 114. If an offender while under commitment to any of the institutions named in the preceding section or to the department of public welfare persistently violates the regulations of the institution or department in whose custody he is, or conducts himself so indecently or immorally, or otherwise so grossly misbehaves as to render himself an unfit subject for retention in said institution or by said department, and it appears that such offender is mentally defective or addicted to the intemperate use of stimulants or narcotics, and is not a proper subject for a school for the feeble-minded, a physician in attendance at any institution named in the preceding section or a physician employed by said department shall make a report thereof to the officer in charge of said institution or to the director of child guardianship, who shall transmit the same to one

of the judges mentioned in section 50. The judge shall make inquiry into the facts and, if satisfied that the offender is mentally defective or so addicted, and not a proper subject for a school for the feeble-minded, shall order his removal to a department for defective delinquents, or to a department for the care and treatment of drug addicts, as the case may be, according to his age and sex as hereinafter provided.

SEC. 9. Said chapter 123 is hereby further amended by striking out section 115 and inserting in place thereof the following:

SEC. 115. No person shall be committed to a department for defective delinquents or to a department for the care and treatment of drug addicts under either of the two preceding sections unless there has been filed with the judge a certificate by two physicians qualified as provided in section 53 that such person is mentally defective or is addicted to the intemperate use of stimulants or narcotics. The fees of the certifying physicians shall be of the amount and paid in the manner provided for like service in sections 3 to 112, inclusive.

SEC. 10. Said chapter 123, as amended in section 117 by section 2 of chapter 270 of the acts of 1921, is hereby further amended by striking out said section 117 and inserting in place thereof the following:

SEC. 117. At the Massachusetts reformatory, the State farm, or such other place or places as may hereafter be approved by the governor and council, there may be maintained departments to be termed "departments for defective delinquents," for the custody of persons committed thereto under sections 113 to 116, inclusive. At any State institution under the supervision of the department of correction there may be established and maintained, with the approval of the governor and council, departments to be termed "departments for drug addicts," for the care and treatment of persons addicted to the intemperate use of stimulants or narcotics and committed thereto under said sections. All men and boys so committed shall be committed to departments for male defective delinquents or for male drug addicts, as the case may be. All women and girls so committed shall be committed to departments for female defective delinquents or for female drug addicts, as the case may be. All such persons committed to departments for defective delinquents or for drug addicts at any institution under control of the department of correction shall be and remain in the custody of the said department until discharged as hereinafter provided.

SEC. 11. Section 118 of said chapter 123 is hereby amended by inserting after the word "delinquents" in the second line the words "or drug addicts," so as to read as follows:

SEC. 118. The board of parole of the department of correction may parole inmates of the departments for defective delinquents or drug addicts on such conditions as it deems best, and may at any time during the parole period recall to the institution any inmate paroled.

SEC. 12. Section 119 of said chapter 123 is hereby amended by inserting after the word "delinquents," in the second line, the words "or a department for drug addicts," and by inserting after the word "delinquents," in the twenty-fourth line, the words "or to a department for drug addicts, as the case may be," so as to read as follows:

SEC. 119. Any person may apply at any time to the justice of the district court in whose jurisdiction a department for defective delinquents or a department for drug addicts is located, for the discharge of any inmate of said department. A hearing shall thereupon be held, of which notice shall be given to the applicant and to the person in charge of the institution where the inmate is confined. If after the hearing the justice shall find that it is probable that the inmate can be

allowed to be at large without serious injury to himself, or damage or injury or annoyance to others, he may order the person having custody of said inmate to parole him. Further action on the application for the inmate's discharge shall be suspended for one year from the date of his parole. If, at any time prior to the expiration of said year, the justice of the court where the application was filed shall be satisfied that the best interests of said inmate, or of the public, require the recall of the inmate from parole, he may authorize the person having custody of the inmate to so recall him. If an application is denied, a new application shall not be made within one year after the date of the order denying the previous application. If at the end of said year the justice shall find that said inmate can be allowed to be permanently at large without serious injury to himself, or damage or injury or annoyance to others, he may order the person having custody of said inmate to discharge him. If a person discharged under this section is found by any court to have committed, after his discharge, any offense against the laws of the Commonwealth, said court may commit such person to a department for defective delinquents or to a department for drug addicts, as the case may be, without the certificate of any physician.

SEC. 13. Section 124 of said chapter 123 is hereby amended by adding at the end thereof the words "or for the care and treatment of drug addicts, as the case may be," so as to read as follows:

SEC. 124. Sections 113 to 124, inclusive, shall take effect as to any of the departments named in section 117 when the same is ready for occupancy. The commissioner of correction shall notify the governor when a department is in a suitable condition to receive inmates; and the governor may then issue his proclamation establishing such department as a place for the custody of defective delinquents or for the care and treatment of drug addicts, as the case may be.

State Registrar of Vital Statistics—Appointment, Compensation, Powers, and Duties. (Ch. 375, Act May 2, 1922.)

Section 10 of chapter 9 of the General Laws is hereby amended by striking out, in the third line, the words "at a salary of \$3,000" and inserting in place thereof the words "and may with like approval fix his salary," so as to read as follows:

SEC. 10. The State secretary may, with the approval of the governor and council, appoint a State registrar of vital statistics, who shall be a competent statistician, and may with like approval fix his salary. The said registrar may, under the direction of the secretary, enforce all laws relative to the registry and return of births, marriages, and deaths, and may prosecute in the name of the Commonwealth any violations thereof.

Town Records of Births, Deaths, and Marriages Prior to 1850—Purchase and Distribution of Printed Copies by the State Secretary. (Ch. 199, Act Mar. 24, 1922)

SECTION 1. Chapter 562¹ of the acts of 1920 is hereby amended by striking out section 1 and inserting in place thereof the following:

SEC. 1. Whenever the record of the births, marriages, and deaths, previous to the year 1850, of any town in this Commonwealth shall be printed and verified in the manner required by the State secretary and the State librarian, and by a corporation, association, or individual previously approved by said secretary and

¹ Supplement 43 to Public Health Reports, p 185.

the work shall appear to said secretary and librarian to have been done with accuracy, said secretary shall purchase 350 copies of the record at a price not exceeding 1½ cents per page; *Provided*, That the written copy of the town records shall become the property of the Commonwealth and shall be deposited in the office of the said secretary: *And provided further*, That not more than \$15,000 shall be expended by authority of this act in any one year.

SEC. 2. Said chapter 562, as amended in section 2 by chapter 171 of the acts of 1921, is hereby further amended by striking out said section and inserting in place thereof the following:

SEC. 2. The copies of each such record purchased as aforesaid shall be distributed by said secretary, at his discretion, as follows: One to the office of said secretary; one to the supervisor of public records; one to the free public library of each city and town in the Commonwealth; one to each State and Territorial library in the United States; one to the Library of Congress; one to each incorporated historical society in the Commonwealth; one to the library of each college in the Commonwealth; one to each registry of deeds and one to the land court. The remainder shall be placed in the State library for the purposes of exchange.

Dead Bodies—Permits for the Burial or Other Disposal of. (Ch. 176, Act Mar. 18, 1922)

SECTION 1. Chapter 114 of the General Laws is hereby amended by striking out section 45 and inserting in place thereof the following:

SEC. 45. Except as provided in sections 44 and 46, no undertaker or other person shall bury or otherwise dispose of a human body in a town, or remove therefrom a human body which has not been buried, until he has received a permit from the board of health or its agent appointed to issue such permits, or if there is no such board, from the clerk of the town where the person died; and no undertaker or other person shall exhume a human body and remove it from a town, or from one cemetery to another, until he has received a permit from the board of health or its agent aforesaid or from the clerk of the town where the body is buried. No such permit shall be issued until there shall have been delivered to such board, agent or clerk, as the case may be, a satisfactory written statement containing the facts required by law to be returned and recorded, which shall be accompanied, in case of an original interment, by a satisfactory certificate of the attending physician, if any, as required by law, or in lieu thereof a certificate as hereinafter provided. If there is no attending physician, or if, for sufficient reasons, his certificate can not be obtained early enough for the purpose, or is insufficient, a physician who is a member of the board of health, or employed by it or by the selectmen for the purpose, shall upon application make the certificate required of the attending physician. If death is caused by violence, the medical examiner shall make such certificate. The board of health or its agent, upon receipt of such statement and certificate, shall forthwith countersign it and transmit it to the clerk of the town for registration. The person to whom the permit is so given and the physician certifying the cause of death shall thereafter furnish for registration any other necessary information which can be obtained as to the deceased, or as to the manner or cause of the death, which the clerk or registrar may require.

SEC. 2. Section 50 of said said chapter 114 is hereby amended by striking out, in the first line, the word "forty-five" and inserting in place thereof the word "forty-four," so as to read as follows:

SEC. 50. Violations of any of the provisions of sections 44 to 48, inclusive shall be punished by a fine of not more than \$50.

Plumbing and Drainage—Continuance of Investigation as to the Advisability of Standardizing Municipal Regulations Relative to. (Ch. 19, Resolve Apr. 3, 1922)

Resolved, That the department of public health be authorized to continue the investigation, provided for by chapter 9² of the resolves of 1920 and further provided for by chapter 40 of the resolves of 1921 relative to the advisability of revising and codifying the rules, regulations, and ordinances of the various cities and towns of the Commonwealth concerning plumbing, house drainage, and like subjects. Report thereon shall be made to the general court not later than the second Wednesday in January, 1923.

² Supplement 43 to Public Health Reports, p. 186.

MINNESOTA

Diphtheria—Quarantine—Laboratory Examination of Cultures—Attendance at Schools and Gatherings—Control of, in Public Institutions. (Reg. Bd. of H., Sept. 16, 1922)

703. The health officer, personally, or through the attending physician, shall take nose and throat cultures from all doubtful or suspected cases and submit them to one of the laboratories of the State board of health for bacterial diagnosis.

If the laboratory diagnosis is "Reserved. Send another specimen," no change shall be made in the notice.

If the laboratory diagnosis is "Diphtheria," the word "suspected" alone shall be removed from the notice, as provided for under Regulation 702.

If the laboratory diagnosis is "No diphtheria bacilli found," and a clinical diagnosis of diphtheria still can not be made the health officer may raise the quarantine.

704. In all cases diagnosed "Diphtheria," "Laryngeal croup" or "Membranous croup," upon clinical findings, or "Diphtheria" upon laboratory findings, two consecutive negative sets of separate nose and throat cultures are required for the removal of all restrictions. Cultures from patient should be sent at least once a week after recovery, but before raising quarantine separate nose and throat cultures from each member of the household shall be submitted to one of the laboratories of the State board of health. Quarantine of household shall be raised and all restrictions of individuals removed at once upon obtaining "for release" two consecutive negative sets of separate nose and throat cultures from patient and all infected members of household, and one set of negative cultures from all other members of household.

If any member of household (patients or others) continues to carry diphtheria bacilli, quarantine of the household shall be raised six weeks (42 days) after the subsidence of clinical symptoms in the last case, but restrictions of infected members of household and others must be continued as provided for under Regulation 707.

707. Patients or others remaining infected longer than six weeks following subsidence of clinical symptoms in the last case shall not be permitted to attend any public, private, parochial, church, or Sunday school, or any public or private gathering, until two consecutive negative sets of separate nose and throat cultures have been reported in accordance with Regulation 710.

School children in the household shall be subject to the above restrictions unless isolation of the infected persons obtains, when the health officer shall issue written permit, which may be revoked if conditions are not complied with.

709. The control of diphtheria in public institutions shall be governed entirely by laboratory examinations. Immediately after the appearance of diphtheria in an institution, the head of the institution shall notify the State board of health of the fact. Each person whose culture shows diphtheria bacilli shall be quarantined whether symptoms exist or not until one negative report on separate nose and throat cultures has been made, after which the person shall be properly cleansed, the clothing properly disinfected, and the person removed from quarantine to detention quarters and kept there until two more consecutive negative reports on separate nose and throat cultures have been made, whereupon release may be permitted after proper disinfection.

Smallpox—Quarantine. (Reg. Bd. of H., Jan. 13, 1922)

1301. All members of a household where smallpox exists shall be quarantined until released by the local health officer under the following provisions:

(a) Before release of a smallpox patient the skin must be free of scabs and the dark-colored plaques, often present under the outer layer of skin of the palms of the hands and the soles of the feet; the patient must take a full bath and shampoo the hair, and all clothing and other articles exposed to infection must be disinfected as directed by the local health officer.

(b) Persons, not protected by a recent successful vaccination or an attack of smallpox, residing on premises where smallpox exists or directly exposed by association with a case of smallpox, who refuse to be vaccinated shall be isolated and shall not be permitted to leave the premises until 21 days after last exposure.

(c) Persons who are protected by a recent successful vaccination, or an attack of smallpox, or who submit to vaccination within three days after first exposure to smallpox, may be given written authorization by the local health officer to go into and from the premises under quarantine for smallpox.

Shaving Brushes Containing Horse Hair—Manufacture, Possession, Sale, or Distribution of, Prohibited. (Reg. Bd. of H., May 2, 1922)

2000. No person shall manufacture, have, keep, offer for sale, sell, distribute, or give away, in the State of Minnesota, any shaving brush in which horsehair is used in whole or in part.

Maternity Hospitals—Duties of Local Health Officers Relative to. (Reg. Bd. of H., Sept. 16, 1922)

13. The local health officer of any city, village, or township shall inspect all lying-in houses or maternity hospitals within his jurisdiction and shall satisfy himself that they are properly licensed and conducted as provided for by chapters 50,¹ 51, and 52,² Special Session Laws of Minnesota for 1919, and the regulations of the Minnesota State Board of Health.

Private Baby Homes—Requirements to be Observed in. (Reg. Bd. of H., Sept. 16, 1922)

16. Temperature in the room must be maintained at from 65° to 76° F.

17. Beds for infants over three months must be at least 6 feet apart unless separated by suitable screens.

18. Babies with communicable diseases must be kept in separate rooms away from all other babies.

Certified Milk—Standards and Requirements Applicable to. (Reg. Bd. of H., Jan. 13, 1922)

203. All milk sold in Minnesota as certified milk must be free from pus and injurious bacteria and must not contain more than 10,000 bacteria of any kind to the cubic centimeter at the time of delivery to consumers. In case a count exceeding 10,000 bacteria per cubic centimeter is found, a daily count shall be made, and if normal counts are not restored within 10 days the certificate shall be suspended. Such milk must have a specific gravity ranging from 1.029 to 1.034 and must be neutral or at most but faintly acid in reaction, must contain not less than 3.5 nor more than 4.5 per cent proteids, from 3.5 to 4.5 per cent

¹ Supplement 42 to Public Health Reports, p. 382.

² Id., p. 384.

butterfat, and from 4 to 5 per cent sugar. It must be free from all contaminating foreign matter or chemical substances added for preservative or coloring purposes. Immediately after milking, the milk must be cooled and thereafter kept at a temperature below 50° F. until delivered to consumers.

The equipment of the dairy shall be adequate, and the methods of production and subsequent handling of the milk and the cleaning and sterilization of milk-handling apparatus and utensils shall be conducted and maintained in a sanitary manner.

The dairy herds supplying certified milk must be under rigid veterinary supervision approved by the Minnesota State Board of Health. Such milk must be taken only from cows that have been shown by clinical examinations and the tuberculin test to be free from tuberculosis. The cows must also be free from all other diseases.

No milk shall be labeled or sold as certified milk until application has been made and the State board of health has determined whether the equipment, methods of production, and subsequent handling of the milk conform with the standards prescribed for certified milk.

The word "certified" shall not appear in the name, title, or trade-mark of any firm, copartnership, association, or corporation selling milk, nor on the label of any bottle containing milk, unless the firm, copartnership, association, or corporation producing and bottling such milk has complied in all respects with the regulations of the State board of health governing the production and sale of certified milk.

Certain Regulations of the State Board of Health Repealed

[Regulations of the State board of health have been repealed as follows:

No. 2—relating to reports of births and deaths—repealed July 18, 1922.

No. 14—relating to the licensing and inspection of boarding places for infants—repealed July 18, 1922.

No. 220—relating to the prohibition of the holding of public gatherings—repealed July 18, 1922.

No. 227—relating to the approval by the State board of health of the plans and specifications, in respect to sanitary conditions, for schools, hospitals, almshouses, prisons, and other public institutions—repealed July 18, 1922.

Nos. 258 to 273, inclusive—relating to the licensing and conduct of dispensaries and hospitals treating venereal diseases—repealed January 10, 1922.]

MISSISSIPPI

Venereal Diseases—Treatment of Indigent Cases by State-Aided Hospitals. (Ch. 304, House Concurrent Res. 53, 1922)

Venereal diseases; free treatment of; provisions for.—In consideration of the fact that the State appropriation for the eradication, prevention, and cure of venereal diseases was reduced 20 per cent and that the Federal appropriation has been discontinued, making available for the campaign only about 40 per cent of the funds available the last biennial period, and that this sum is absolutely inadequate to make possible the operation of clinics for the treatment of venereal diseases—

Resolved by the house of representatives, the senate concurring, That it is the sense of the legislature that every hospital receiving aid from the State be expected to treat all indigent patients presenting themselves with venereal diseases: *Provided,* That the bureau of venereal diseases furnish such medicines as are necessary for this service and that these institutions render report to the bureau of venereal diseases of such cases treated in order that proper accounting may be had for the funds expended in the purchase of drugs.

Dairy Products—Production, Handling, and Sale—Definitions. (Ch. 253, Act Apr. 8, 1922)

SECTION 1. *Regulating dairying and dairy premises; Hemingway's code, sup. sec. 4166-a.*—That section 3 of chapter 191,¹ laws of 1918, be amended to read as follows:

SEC. 3. All premises and utensils used in the handling of milk or cream and the by-products of same, and all premises and utensils used in the preparation, manufacture, sale, or offer for sale of any food product for man from milk or cream, or the by-products of same, which shall be kept in an unclean, filthy, or noxious condition, are hereby declared to be unsanitary.

Any person, firm, or corporation within the State who receives in cans, bottles, or other vessels any milk or cream, ice cream, or other dairy products intended for human food, when such vessels are to be returned, shall cause the said cans, bottles, jugs, or other vessels to be thoroughly washed and cleaned before returning.

The liners of ice cream cans must be removed from the cans, the cans washed, and returned to owner, or delivered to express company, or other transporting concern for return not to exceed seven days after receipt of same.

Any one failing to comply with this act shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed in section 2 of this act.

SEC. 2. *Unlawful to sell product of unsanitary premises; Hemingway's code, sup. sec. 4166-a.*—That section 4 of chapter 191, laws of 1918, be amended to read as follows:

SEC. 4. It shall be unlawful for any person engaged in the business of handling or sale of milk or cream or the by-products of same, or in the preparation, manufacture, sale, or offer of sale of any food product for man from milk or cream or the by-products of same, to maintain his premises or utensils in an unsanitary condition, or to knowingly sell, offer for sale, or keep for sale milk or cream drawn from sick or diseased cows, or cows kept in an unsanitary place or cows fed on unwholesome feeds or slops, or cows furnished unwholesome or unclean water to drink.

¹Supplement 38 to Public Health Reports, p. 185.

The commissioner, his agents, or assistants shall have free access to any barn or stable where milch cows are kept or milked, or to any factory, building, dairy, or premises where any dairy product is manufactured, handled, stored, or sold, or where they suspect that oleomargarine or other substance designed to be used as a substitute for butter, or imitation butter or imitation cheese are being manufactured, kept, sold, delivered, transported, or stored in violations [sic] of this act.

It shall be unlawful for any person, or the agent of any person, firm, or corporation, to prevent or interfere with the duly authorized inspector or agent of the State commissioner of agriculture from entering or inspecting any place or premises where milk or milk products, or where oleomargarine or imitation butter or cheese or renovated butter or any substance designed to be used as a substitute for butter, are purchased, manufactured, prepared, sold, kept for sale, furnished, or served, or to prevent or to interfere with such inspector or agent in the event he deems it advisable to secure samples of milk or milk products, or oleomargarine, or imitation butter or cheese or renovated butter or any substance designed to be used as a substitute for butter, at or from any such place or person, for the purpose of ascertaining whether this act is being violated, or to interfere with or prevent any such inspector or agent from examining any records or books required by the provisions of this act.

Any one failing to comply with this act shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed in section 2 of this act.

* * * * *

SEC. 4. *Certain products must be pasteurized; Hemingway's code, sup. sec. 4166-y.*—That section 9 of chapter 191, laws of 1918, be amended to read as follows:

SEC. 9. That all milk and cream used in the manufacture of creamery butter and ice cream must be pasteurized to a temperature of 145° F. for 25 minutes, or to 150° F., and held 20 minutes, using the intermittent system of pasteurization, or shall be heated 170° with the flash (or continuous) system of pasteurization.

Unlawful cream shall consists [sic] of cream that is very old, rancid, moldy, dirty, or curdy, and such cream shall not be purchased, sold, or used for food purposes.

Butter is the clean, nonrancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass, which also contains a small portion of the other milk constituents, with or without salt or added coloring matter, and contains not less than eighty-two and five-tenths (82.5) per cent of milk fat with an allowance or tolerance of not to exceed two and five-tenths (2.5) per cent of said butter or mass so that in no case or event shall the milk fat content of said butter or mass be less than eighty (80) per cent.

Any person manufacturing creamery butter, who does not comply with this section, shall be guilty of a misdemeanor, and, upon conviction, shall be punished as provided in section 2 of this act.

SEC. 5. *Ice cream defined.*—That section 10 of chapter 191, laws of 1918, be amended to read as follows:

SEC. 10. That ice cream, within the meaning of this act, is the frozen product made from cream, milk and sugar, with or without a normal flavoring, and contains not less than 8 per cent of milk fat; and fruit ice cream, the frozen product made from cream, milk and sugar, and sound, clean mature fruit, and [contains] not less than 8 per cent of milk fat; and nut ice cream, the frozen product made from cream, milk and sugar, and sound, nonrancid nuts, and contains not less than 8 per cent of milk fat.

Custard ice cream is the frozen product made from cream, sugar, eggs with or without flavoring, and must contain not less than 8 per cent fat. Any frozen product other than ice cream shall be designated and sold as sherbet or water ice.

No person, for himself or another shall sell, offer or expose for sale, or have in his possession with intent to sell, ice cream adulterated within the meaning of this act.

Ice cream shall be deemed to be adulterated within the meaning of this act:

First. If it shall contain boric acid, formaldehyde, saccharin, or any other added substance or compound that is deleterious to health.

Second. If it shall contain salts or [of] copper, iron oxide, or fats other than milk fats, or any coloring substance deleterious to health: *Provided*, That this shall not be construed to prohibit the use of harmless coloring matter in ice cream when not used for fraudulent purposes.

Third. If it shall contain any deleterious flavoring matter or coloring matter not true to name.

Fourth. If it be an imitation of or offered for sale under the name of another article.

Nothing in this act shall be construed to prohibit the use of fresh eggs, and not exceeding one-half of 1 per cent of pure gelatin, gum tragacanth [sic], or other vegetable gums.

It shall not be lawful for any person to sell, offer for sale, or keep for sale, any ice cream in any container which is falsely labeled or branded as to the name of the manufacturer thereof; or to misrepresent, in any way, the place of manufacture of ice cream of [or] the manufacturers thereof.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 2 of this act.

SEC. 6. *Act does not apply to person who does not sell.*—That nothing in said chapter 191, laws of 1918, as hereby amended, shall be construed to apply to any person who does not sell his milk, cream, butter, or other products mentioned in said act to others.

Certain Sanitary Work on Private Property—Performance of, by Municipalities—Assessment of Cost of, against the Property. (Ch. 220, Act Apr. 7, 1922)

SECTION 1. *Municipal authorities may clean up property, cut weeds, drain, etc., and charge to owner.*—That the mayor and board of aldermen, or the mayor and council of any municipality, are authorized and empowered, upon receipt of a petition signed by a majority of resident property owners residing upon any street or alley requesting the municipal authorities to so act, in their discretion to proceed to have weeds cut, cisterns sealed or filled with earth, remove rubbish, dilapidated fences and buildings, overground closets, to drain cesspools and standing water from any property located upon such street, and the municipal officers shall keep an accurate account of the cost and shall assess same against the property, the cost to be collected along with taxes.

SEC. 2. *Property owner to be given advance notice.*—However, before entering upon the work the city clerk shall send a written notice by registered mail to the property owner or to his or her agent, giving them 10 days in which to do the work. If the owner or agent fails to do the work within the 10 days, then the city officials may proceed with the work.

Nuisances—Proceedings for the Abatement of. (Ch. 234, Act Apr. 8, 1922)

SECTION 1. *Nuisance; who may bring proceedings; Hemingway's code, section 4844.*—That section 2495 of the Mississippi code of 1906 be, and the same is hereby, amended so as to read as follows:

2495 (2277). Nuisance.—The State board of health, when informed by a county health officer, or otherwise, of the existence of any matter or thing calculated to produce, aggravate, or cause the spread of any epidemic or contagious disease, or to affect injuriously the health of the public or community, may declare the same a nuisance, and when it does so, it shall notify the district attorney, county attorney, municipal attorney, county health officer, municipal health officer, or town marshal of the district where the nuisance exists, who shall forthwith commence proceedings by information in the circuit court to have the same abated, and the parties in interest shall have 5 days' notice of the proceedings, which shall be served as in ordinary suits. Such proceedings may be tried by the judge, in term time or in vacation, in a summary way, and if the matter be urgent, it shall be tried without delay; but the parties in interest shall have a jury if they demand it, which the judge shall cause to be summoned, if in vacation, returnable at some early day, to be fixed by him, and the matter shall be tried as other causes by judge and jury; and if the matter be found a nuisance, the judge shall order the same abated, which shall be executed by the sheriff or other proper officer, and an appeal shall not be allowed therefrom. This section shall not affect the right which municipalities may have to abate a nuisance, or common law or equity proceedings for that purpose.

MONTANA

Horsehair Shaving Brushes—Manufacture, Importation, or Sale Prohibited. (Reg. Dept. of Public H., Apr. 6, 1922)

REG. 46. The sale, offering for sale, manufacturing, or importation of all shaving brushes made from horsehair is hereby prohibited.

Food Manufacturing Establishments—Opening of, in Certain Basement Rooms Prohibited. (Reg. Dept. of Public H., Apr. 6, 1922)

REG. 112 [food and drug series]. On and after April 15, 1922, no person, persons, firm, or corporation shall establish or open any manufacturing bakery, manufacturing confectionery, or other food manufacturing plant in any basement room or rooms wherein the floor of such room or rooms is more than 3 feet below the surface of the ground.

Soda Fountains, Ice-Cream Parlors, and Soft-Drink Establishments—Sanitary Requirements—Employees. (Reg. Bd. of H., Jan. 11, 1922)

REG. 27. *Building requirements.*—(a) The outside doors, windows, and other openings of every room or rooms wherein soda fountains, ice-cream parlors, or soft-drink establishments are operated shall be fitted with self-closing screen doors or wire window screens of not coarser than 14 mesh wire gauze.

(b) All rooms shall be well lighted and well ventilated.

(c) All doors, walls, and ceilings shall be kept clean and in good repair.

REG. 28. *Water supply.*—(a) Soda fountains, ice-cream parlors, and soft-drink establishments shall have clean, potable water conveniently available for washing utensils, glasses, dishes, spoons, dish drains, sinks, counters, etc., and in the case of soda fountains, ice-cream parlors, and soft-drink establishments that are located in towns or cities having a public water supply, running water shall be connected with or adjacent to the soda fountain proper, or place where ice cream or soft drinks are sold.

REG. 29. *Employees.*—(a) No person suffering with any communicable disease and no person who is known as a "carrier" of a communicable disease, as defined in the State board of health rules and regulations, shall be employed in any capacity at any soda fountain or in any ice-cream parlor or soft-drink establishment.

(b) No person who has been afflicted with typhoid fever shall be employed at any soda fountain or in any ice-cream parlor or soft-drink establishment until it has been definitely determined that such person is not a "typhoid carrier."

REG. 30. *Clothing.*—(a) All persons, while working at any soda fountain or in any ice-cream parlor or soft-drink establishment, must wear clean clothing, preferably white suits or aprons.

REG. 31. *Care of utensils.*—(a) All glasses, dishes, spoons, and other utensils used in the preparing, handling, or serving of ice cream or soft drinks at any soda fountain or in any ice-cream parlor or soft-drink establishment shall be thoroughly cleaned after each separate use thereof by washing with hot water and soap or washing powder and rinsing with clean water.

REG. 32. *Care of containers.*—(a) Soda fountains, sirup and fruit cans, jars bottles, or urns shall be thoroughly washed and cleaned before refilling.

REG. 33. *Towels.*—(a) All towels or cloths used for wiping or polishing glasses, dishes, spoons, and other utensils shall be clean.

REG. 34. *Refrigerators.*—(a) All refrigerators or ice boxes shall be free from foul or unpleasant odors, mold, and slime.

REG. 35. *Supplies.*—(a) All straws, ice-cream cones, sirups, concentrates, crushed fruits, and other fountain supplies used in preparing ice cream or soft drinks, shall at all times be protected from flies, dirt, dust, or other forms of, contamination.

REG. 36. *Storerooms.*—(a) Storerooms shall be well lighted and well ventilated and maintained in a clean and sanitary condition at all times.

REG. 37. *Individual paper receptacles.*—(a) The use of individual paper receptacles in the serving of ice cream and soft drinks is recommended.

REG. 38. *Posting of regulations.*—(a) These regulations must be posted in a conspicuous place at every soda fountain and in every ice-cream parlor and soft-drink establishment.

REG. 39. *Additional regulations.*—(a) These regulations may be supplemented by health departments in towns, cities, and counties when conditions warrant supplementary regulations.

NEBRASKA.

Venereal Diseases—Inmates of the State Reformatory for Women Not to be Paroled or Released if Afflicted with. (Ch. 2, Act Feb. 3, 1922.)

SEC. 3. * * * *Provided*, No such female shall be paroled while afflicted with venereal disease: *Provided, further*, That if at the expiration of her commitment any female is still afflicted, in the opinion of the superintendent and physician of said State reformatory for women, with a venereal disease, then any such female shall be detained at said reformatory under such rules and regulations relating thereto as shall be adopted by the State department of health. * * *

Swimming Pools and Public Swimming or Bathing Places—Sanitary Requirements—Approval of Plans for—Inspection. (Reg. Dept. of Public Welfare, July 1, 1922)

The water must remain sufficiently clear to permit a submerged person to be seen in any part of the pool. The water shall be regularly or continuously changed or disinfected to meet a satisfactory degree of purity; and when discharged, shall be disposed of as sewage. The water from the floor surrounding the pool shall not be drained back into the pool. The pool shall be so constructed that it is shallow in one portion and deep enough in another to make diving a safety. Samples shall be collected at such time and in such manner as deemed necessary by the bureau of health and submitted to the division of laboratories for analysis.

Common towels, combs, brushes, or drinking cups shall not be permitted, and signs cautioning against indiscriminate spitting shall be posted. Signs in large letters shall be posted in the dressing compartments directing all bathers, both male and female, to take a preliminary cleansing shower before entering pool.

Drinking fountains easily accessible to bathers shall be provided and adequate toilet facilities, for each sex, accessible both from the dressing compartments and from the pool shall be provided.

No person infected with a communicable or contagious disease shall be permitted to use any public swimming pool, and a conspicuous sign to this effect shall be posted about every pool of this character. The management and attendants should ever be on the watch and such persons should be refused the privileges of the bathhouse. The management and attendants will be held responsible if they permit the violation of this rule.

All bathing suits and towels for rent or hire should be washed with warm water and soap after each use. The washing should be followed by a sufficient clear water rinsing to remove all traces of soap. All suits and towels shall be properly disinfected, either by use of steam under pressure for a period of 15 minutes, by boiling for an equal period of time, or by use of a chemical disinfectant in a manner approved by the State bureau of health.

No municipality, district, corporation, company, institution, person, or persons shall install or enter into contract for installing any swimming pool, public swimming or bathing place or places until complete plans and specifications fully describing such construction and operation have been submitted to and received the written approval of the State bureau of health and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State bureau of health.

For the purpose of these rules and regulations the State bureau of health or its representatives shall, at any and all reasonable times, have full power and authority to and shall be permitted to enter upon any and all parts of the premises of such bathing and swimming pools to make examination and investigation to determine the sanitary conditions of such places and whether the provisions of these rules and regulations are being violated. (False and misleading claims relating to any sanitary condition or feature about the pool or premises shall not be permitted.) The construction, operation, or maintenance of any swimming pool, public swimming or bathing place or places contrary to these regulations are hereby declared to be public nuisances and dangerous to health.

Any person violating these rules and regulations or any part thereof shall, upon conviction, for each and every such offense be subject to a fine of not less than 15 nor more than 100 dollars.

NEW JERSEY

County Communicable Disease Hospitals—Management—Removal of Infected Persons to—Care and Treatment of Persons in. (Ch. 268, Act. Mar. 17, 1922)

1. Section 3 of the act [An act to authorize boards of chosen freeholders of counties of this State to acquire lands and erect and maintain hospitals for contagious diseases, and to provide for their control and management, approved April 8, 1903] to which this act is an amendment is hereby amended to read as follows:

3. When such hospital has been built and is ready for occupancy, the director of the board of chosen freeholders of the county in which it is located shall, with the consent and approval of said board, appoint a board of managers of said hospital, which board shall consist of six members, residents of the said county, three of whom shall be selected from the members of the several boards of health in said county, except in municipalities governed under commission form of government and in which there are no such boards of health, such selections may be made from the several heads of the departments charged with the administration of matters of public health in such municipalities, and three shall be physicians; not more than three members of any such board shall belong to the same political party; two of the persons first appointed as herein provided shall be appointed to serve for three years, two shall be appointed to serve for two years, and two shall be appointed to serve for one year, from the date of their appointment; and thereafter the members of said board of managers shall serve for the term of three years; the members of said board of managers shall serve without compensation; any vacancy in said board arising from any cause, except expiration of term of office, shall be filled in the manner herein provided for original appointments, for the unexpired term only; said board of managers shall have the control and government of such hospital and the care and custody of such hospital building or buildings; it may appoint and remove at pleasure a superintendent or warden thereof and such other officers or employees as it may deem necessary, and fix their compensation; it may adopt and establish suitable by-laws with respect to the terms of admission, support and discharge of patients, and such rules and regulations as it shall deem necessary for the proper conduct and government of said hospital. In counties of the first class, the board of chosen freeholders, or such a committee or committees thereof as such board may designate, shall exercise all the functions herein conferred on such board of managers. In other counties [sic] all functions described in this act and the amendments and supplements thereto, as belonging to the board of managers in other counties, shall, in counties of the first class, inhere in and be exercised by the board of chosen freeholders of such county, or its said committee or committees. In counties of the first class the director of the board of chosen freeholders shall each year, and at the time of the organization of the said board of chosen freeholders, select from among the members of such board a committee to exercise the functions given to the board of managers in other counties, subject, however, to the general jurisdiction and control of such board of chosen freeholders, and shall designate the chairman of such committee. On the passage of this amendment, the authority of any board of managers heretofore appointed in counties of the first class shall cease and terminate. In counties of the first class the boards of chosen freeholders shall under this act appoint each year with the advice of the superintendent of the hospital, an advisory and consulting staff of not less than five physicians resident in such county, whose duties shall be to confer and consult with the said superintendent and such board of chosen freeholders to promote and advance the

scientific, medical, and surgical development of each institution. Notice of meetings of the designated hospital committee of such board of chosen freeholders shall be given to each member of such advisory staff.

2. Section 4 of the act to which this act is an amendment is hereby amended to read as follows:

4. The board of managers of any such hospital, or such committee of the board of chosen freeholders, as the case may be, shall also have power, and it shall be its duty, through its employees, to send for and convey to it any person or persons anywhere in said county afflicted with any contagious or infectious disease, or showing pronounced symptoms thereof, whenever the disease is of such character, or the residential conditions surrounding the persons afflicted therewith are such, that the removal of such person to the hospital is necessary to prevent contagion or infection, under such suitable regulations as it may prescribe, with the view to prevent the spread of disease.

3. Section 5 of the act to which this act is an amendment is hereby amended to read as follows:

5. Any hospital erected and maintained under this act shall be used and devoted exclusively for and to the care and treatment of all persons in the county in which it is located who are afflicted with contagious or infectious disease, whether such persons be indigent or able to pay for the medical care, attendance, and treatment which they may receive therein: *Provided, however,* The said board of managers, or said committee of said board of chosen freeholders, as the case may be, may make reasonable charges for the care and treatment of all persons received into such hospital who may be able to pay for the same, and any moneys received therefor shall be expended under the direction of said board or said committee toward the support of said hospital.

County Communicable Disease Hospitals—Control of, by Board of Chosen Freeholders. (Ch. 267, Act Mar. 17, 1922)

1. Section 1 of the supplement [A supplement to an act entitled "An act to authorize boards of chosen freeholders of counties of this State to acquire lands and erect and maintain hospitals for contagious diseases, and to provide for their control and management," approved April 8, 1903, Public Laws 1903, chapter 155, page 238, which supplement was approved April 5, 1909] to which this act is an amendment is hereby amended to read as follows:

1. In the maintenance and management of such hospitals the compensation of the officers or employees appointed by the board of management of any hospital built under the act of which this is a supplement, or the board of chosen freeholders in counties of the first class, shall be subject to the approval of the board of chosen freeholders of the county in which such hospital is situated, and the purchase of supplies for use in such hospital and the repair of all buildings connected with such hospital shall be under the control of such board of chosen freeholders in the same manner that such purchases and repairs for other county institutions are under the control of the board of chosen freeholders.

County Tuberculosis Hospitals—Establishment, Management, Maintenance, and Inspection. (Ch. 269, Act Mar. 17, 1922)

1. Section 1 of the act¹ [An act concerning tuberculosis, approved March 28, 1912] to which this act is an amendment is hereby amended to read as follows:

1. The board of chosen freeholders of any county shall have power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis.

¹ Reprint 200 from Public Health Reports, p. 136.

When said board shall have voted to establish such hospital, it shall have the following powers:

To purchase and lease real property therefor, or acquire such real property and easements therein, by condemnation proceedings, in the manner prescribed by "An act to regulate the ascertainment of payment of compensation for property condemned or taken for public use (revision of 1900)," and the supplements thereto and amendments thereof.

To erect all necessary buildings, make all necessary improvements and repairs, and alter any existing buildings for the use of said hospital: *Provided*, That the plans for such erection, alteration, or repair shall first be approved by the State board of health.

To appoint a board of managers for said hospital as hereinafter provided.

In counties of the first class the board of chosen freeholders or such committee or committees thereof as such board may designate, shall exercise all the functions herein conferred on the board of managers, and all the functions described in this act and the amendments thereto and supplements thereof as belonging to the board of managers, shall, in counties of the first class, inhere in and be exercised by the board of chosen freeholders of such county or its said committee or committees.

Upon request of the board of managers or in counties of the first class on its own initiative, to equip the hospital with all necessary furniture, appliances, fixtures, and other needed facilities for the care and treatment of patients and for the use of officers and employees thereof and shall purchase all necessary supplies.

To cause to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of money or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

2. Section 2 of the act to which this act is an amendment is hereby amended to read as follows:

2. When the board of chosen freeholders shall have determined to establish a hospital for the care and treatment of persons suffering from tuberculosis, and shall have acquired a site therefor, and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint five citizens of the county, of whom at least two shall be practicing physicians, who shall constitute a board of managers of the said hospital. The term of office of each member of said board shall be five years, and the term of one of such managers shall expire annually; the first appointment shall be made for the respective terms of five, four, three, two and one years. Appointment of successors shall be for the full term of five years, except that appointment of persons to fill vacancies occurring by death, resignation or other cause shall be made for the unexpired term. Failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board of managers. The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid in the same manner as the other expenses of the hospital by the board of chosen freeholders. Any man-

ager may at any time be removed from office by the board of chosen freeholders of the county for cause after an opportunity to be heard.

In counties of the first class the board of chosen freeholders or such committee or committees thereof as such board may designate, shall exercise all the functions herein conferred on the board of managers, and all the functions described in this act and the amendments thereto and supplements thereof as belonging to the board of managers, shall, in counties of the first class, inhere in and be exercised by the board of chosen freeholders of such county or its said committee or committees.

In counties of the first class the board of chosen freeholders shall under this act appoint each year with the advice of the superintendent of the hospital, an advisory and consulting staff of not less than five physicians resident in such county, whose duties shall be to confer and consult with the said superintendent and such board of chosen freeholders to promote and advance the scientific, medical and surgical development of each institution. Notice of meetings of the designated hospital committee of such board of chosen freeholders shall be given to each member of such advisory staff.

Any board of chosen freeholders in a county of the first class may at any time after the passage of this act, adopt a resolution delegating the duties and powers provided for in this act to be vested in a board of managers in counties other than counties of the first class, and from and after the passage of such resolution, and its approval by the county supervisor, the management of the county hospital for tuberculosis shall be by a board of managers appointed and functioning in the same manner as boards of managers in counties other than the first class.

3. Section 3 of the act to which this act is an amendment is hereby amended to read as follows:

3. The board of managers shall elect from among its members a president and one or more vice presidents. In counties of the first class the director of the board of chosen freeholders shall select from among the members of the board a committee to exercise the functions given in other counties to the board of managers, subject, however, to the general jurisdiction and control of such board of chosen freeholders, and shall designate the chairman of such committee. Said board of managers or such board of chosen freeholders, as the case may be, shall appoint a superintendent of the hospital, who shall be, except in counties of the first class, also, treasurer and secretary of the board. Said superintendent shall not be a member of the board of managers, and shall be a qualified practitioner of medicine or other person trained for work of said character.

Said board of managers or said committee of said board of chosen freeholders shall fix the salaries of the superintendent and all other officers and employees, subject to the approval of the board of chosen freeholders, within the limits of the appropriation made therefor by such board of chosen freeholders, and such salaries shall be compensation in full for all services rendered. The board of managers or said committee of said board of chosen freeholders shall determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties; shall have the general superintendence, management and control of the said hospital, of the grounds, buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof, and make such rules and regulations as may seem to them necessary for carrying out the purposes of such hospital; shall maintain an effective inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-

laws, and shall hold its annual meeting at least three weeks prior to the meeting of the board of chosen freeholders, at which appropriations for the ensuing year are to be considered.

Shall keep in a book provided for that purpose a proper record of its proceedings, which shall be open at all times to the inspection of its members, to the members of the board of chosen freeholders of the county and to duly authorized representatives of the State commissioner of charities and corrections and of the State board of health.

Shall certify all bills and accounts, including the salaries and wages, and transmit them to the board of chosen freeholders of the county, who shall provide for their payment in the same manner as other charges against the county are paid.

Shall make to the board of chosen freeholders of the county, annually, at such time as said board of chosen freeholders shall direct, a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matter as may be required of them, and full and detailed estimates of the appropriations required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purposes.

* * * * *

6. Section 7 of the act to which this act is an amendment is hereby amended to read as follows:

7. The resident officer of the hospital shall admit the managers, or members of said committee of the board of chosen freeholders, as the case may be, into every part of the hospital and the premises and give them access on demand to all books, papers, accounts and records, pertaining to the hospital, and shall furnish copies, abstracts and reports whenever required by them. All hospitals established or maintained under the provisions of this act shall be subject to inspection by any duly authorized representative of the State board of charities, of the State department of health, of the State charities aid association, and of the board of chosen freeholders of the county; and the resident officers shall admit such representatives into every part of the hospital and its buildings, and give them access on demand to all records, reports, books, papers and accounts pertaining to the hospital.

7. Upon the passage of this amendment the authority of any board of managers heretofore appointed in counties of the first class shall cease and determine.

County Tuberculosis Hospitals—Powers and Duties of Superintendent—Admission, Care, Treatment, and Maintenance of Patients—State Aid. (Ch. 278, Act Mar. 21, 1922)

1. Section 4 of the act [An act concerning tuberculosis, approved March 28, 1912] to which this act is an amendment be and the same is hereby amended to read as follows:

4. The superintendent shall be chief executive officer of the hospital and subject to the by-laws, rules and regulations thereof, and to the powers of the board of managers, or of said board of freeholders or of said committee, as the case may be.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws and regulations adopted by the board of managers or by said committee of the board of chosen freeholders, as the case may be, for the government, discipline and management

of said hospital and the employees and inmates thereof. He shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law or with the rules, regulations and directions of the board of managers or of the board of chosen freeholders or its said committee, as the case may be.

Shall, with the consent of the board of managers or of said committee of the board of chosen freeholders or its said committee, as the case may be, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of freeholders, as required by section 3 of this chapter, and present the same to the board of managers or to the said committee of the board of chosen freeholders, as the case may be, who shall incorporate them in their report to the said freeholders.

Shall receive into the hospital, under the general direction of the board of managers or of said committee of said board of chosen freeholders, as the case may be, in the order of application, any person found to be suffering from tuberculosis in any form, who has a legal settlement in the county, or who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission to said hospital, or any person who may be committed to said hospital by an order of any judge of the court of common pleas; subject, however, to the further provisions of this act. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of last employment.

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his needs; and shall cause a record to be kept of the condition of each patient when admitted and from time to time thereafter.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers, or of said committee of said board of chosen freeholders, as the case may be; who shall make such final disposition of the case as they may think proper.

Shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at a monthly meeting of the board of managers, or of said committee of said board of chosen freeholders, as the case may be, and transmit the same to the county collector within 10 days after such meeting.

Shall, before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of such duties.

2. Section 5 of the act to which this act is an amendment be and the same is hereby amended to read as follows:

5. Any resident of the county in which the hospital is situated, desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suffering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratu-

itously to any reputable physician in the county upon request. So far as practicable applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and the board of managers or said committee of said board of chosen freeholders, as the case may be, are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt.

Provided, further, That the legal settlement and the financial ability of the patient or the person or persons chargeable with his or her support shall be determined in the same way and by the same method that those facts are determined in the case of insane patients under an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen; and a copy of the finding of the judicial officer shall be forthwith filed in the office of the clerk of the county in which such patient is confined and a copy duly certified by the clerk of the county shall be forthwith forwarded to the superintendent of the hospital to which the patient is admitted and by him kept on file, and if it appears by said finding that the patient has a legal settlement in any county of this State and is indigent, then he shall be supported in said institution at the expense of the county in which he has a legal settlement, and if it appears by said finding that the patient has no legal settlement in any county of this State, then he shall be maintained at the expense of the State: *Provided, however,* That if said patient shall have a legal settlement in any county of this State other than the county in which he makes application for admission, and the county in which he has a legal settlement maintains an institution for the care and treatment of persons suffering from tuberculosis under an act to which this act is an amendment, then it shall be the duty of the superintendent of the institution to which he has been admitted to notify the superintendent of the institution of the county in which he has a legal settlement of the fact of his admission to the institution and the judicial finding as to his legal settlement and indigency; and said patient may be transferred to the institution in the county in which he has a legal settlement, by the superintendent of the institution of that county, unless the judicial officer who determines the legal settlement shall certify that, in his opinion, his removal from the county would be detrimental to the patient's health, or against the best interest of the patient's family, and in that event, he shall be maintained as aforesaid in the institution to which he has been admitted: *Provided, however,* That the county in which he has a legal settlement shall be bound for the patient's maintenance until he be transferred as aforesaid.

The expense of his maintenance in any institution of any county in which the patient has not a legal settlement shall be paid by the county in which he has a legal settlement if any such there be in this State, upon bills rendered by the superintendent of the institution in which he is maintained, to the board of chosen freeholders of the county in which he has a legal settlement, and suit may be maintained in any of the courts of this State having jurisdiction of the subject

matter, for the collection of the same. And if the expense of maintenance of said patient is chargeable to the State under the provisions of this act, then the State shall pay for said maintenance in the same way it pays or contributes toward the support of indigent patients in any other institutions of this State according to the act approved February 28, 1918, referred to in this section. Nothing herein contained, however, shall permit the removal of the patient to the State institution for the care and treatment of tuberculosis against his will. When said hospital is completed and ready for the treatment of patients or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care, or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment, or gratuity whatsoever for his services, and any such person having been so admitted shall not be discharged without having first obtained permission of the superintendent or board of managers of such hospital, so that such person may not become a menace to the community. The board of managers or said committee of said board of chosen freeholders, as the case may be, shall have the right to hold and detain any patient admitted to said hospital when in their judgment it is for the benefit of said patient or for the community that said patient remain therein, but said patient or any person as his next friend, may apply to the court of common pleas in a summary manner for the discharge of said patient. The medical superintendent shall have the custody and control of every person admitted as a patient to said hospital and shall properly discharge and, subject to the regulations established by the board of managers, or of said committee of said board of chosen freeholders, as the case may be, may restrain and discipline any patient in such manner as in his opinion is required for the welfare of said patient.

3. Section 13 of the act to which this act is an amendment be, and the same is hereby, amended to read as follows:

13. That there shall be paid by the State treasurer on warrant of the comptroller for each patient maintained in such institution such sum as shall be fixed by the State house commission under Article V of an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory, and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal, or State funds," approved February 28, 1918, and payment shall be made in accordance with the provisions of said article. And the legal settlement of the patient and the persons liable for his maintenance shall be the same as fixed in said act.

State Department of Health—Establishment—How Constituted. (Ch. 94, Act Mar. 11, 1922)

1. Section 1 of the act² [An act to increase the efficiency of public health protection in this State, to abolish the State board of health, and to create a State department of health and to prescribe and define the powers and duties of such department, approved April 14, 1915] of which this act is amendatory be, and the same is hereby, amended so that it shall read as follows:

² Reprint 338 from Public Health Reports, p. 362.

1. The department of health is hereby established, and the same shall be governed by a board of 11 members, to be known as the "Department of health of the State of New Jersey." Not more than six of the members of the board shall be members of the same political party, and all of said members shall be residents of this State, and two of the members of said board shall be women. At least 3 of the members shall be physicians, at least 1 a veterinarian, at least 1 a dentist, and at least 2 sanitary engineers. The additional officers created by this act shall be filled by appointees, nominated by the governor, with the advice and consent of the senate, and shall hold their said offices for a term of four years. Their successor[s] shall be appointed in like manner. Vacancies shall be filled for the unexpired terms.

Associations of Local Health Employees Formed for Pension Purposes—Physical Examination of Employees Applying for Membership—Retirement of Members. (Ch. 213, Act Mar. 11, 1922)

1. Any employee applying for membership in the association created under said act³ [An act concerning local boards of health and employees thereof in cities in this State, and for the relief of such employees, approved April 2, 1913] and the benefits thereof, shall have passed, at the time he entered service, a physical examination satisfactory to and conducted by a physician designated by the board of trustees of the pension fund, or he shall pass a physical examination satisfactory to and conducted by such a physician at the time of his application for membership in such association and the benefits of this act. Such applicant for membership shall produce a certificate of good health signed by such a physician before being admitted to such membership and the benefits of the act.

2. All applicants for retirement shall make application for retirement in writing to the board of trustees of the pension fund. Such application upon being acted upon favorably by a majority of the board of trustees of said pension fund shall be granted: *Provided, however*, That all charges and dues against the applicant as shown by the books of the pension fund have been paid in full.

Milk and Milk Products—Definitions—Standards—Manufacture—Sale—Labeling of Containers. (Ch. 110, Act Mar. 11, 1922)

1. For the purpose of this supplement condensed, evaporated, or concentrated milk is defined as the product resulting from the elimination of a considerable portion of the water from the fresh, clean, lacteal secretion, colostrum free, obtained by the complete milking of cows properly fed and kept; said product to contain, when made from whole milk without added sugars, all tolerances allowed, at least 25.5 per cent of milk solids including at least 7.8 per cent of milk fat; when made from whole milk with added sugars, all tolerances allowed, at [least ?] 28 per cent of milk solids including at least 8 per cent of milk fat, and when made from skimmed milk to contain, all tolerances allowed, at least 20 per cent of milk solids.

2. No person shall distribute or sell or manufacture for distribution or sale or have in his possession with intent to distribute or sell any condensed, evaporated, or concentrated milk which shall not conform to the minimum standard set forth respectively in section 1 hereof, and which, if contained in hermetically sealed cans, does not bear stamped or labeled thereon the name and address of the manufacturer thereof.

3. No person shall distribute or sell or manufacture for distribution or sale or have in his possession with intent to distribute or sell any milk, cream, skimmed

³ Reprint 264 from Public Health Reports, p. 299.

milk, condensed, evaporated, or concentrated milk, powdered, dried, or desiccated milk or ice cream or any of the fluid derivatives of any of them, to or with which has been added, blended, or compounded any fats or oils other than milk fats, either under the name of said products or articles or the derivatives thereof, or under any fictitious or trade names whatsoever: *Provided, however,* That nothing in this act shall be construed to prohibit in the manufacture of ice cream the use of fresh eggs, pure gelatin, or vegetable gums or the sale of ice cream so manufactured.

4. No person shall distribute or sell or manufacture for distribution or sale or have in his possession with intent to distribute or sell any condensed, evaporated, or concentrated skimmed milk in containers unless each said can or container bears the name and address of the manufacturer or distributor distinctly branded, indented, labeled, or printed thereon, together with the words "condensed skimmed milk," or "evaporated skimmed milk," or "concentrated skimmed milk," as the case may be, in roman letters of a size as large as any other words or letters appearing on said brand indentation or label and in no case less than 1 inch in height and one-half inch in width.

5. Every person who shall violate any of the provisions of this act shall be liable to a penalty of \$50 for the first offense and to a penalty of \$100 for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act, either before or after the institution or [of] proceedings for the collection thereof, shall, for the purposes of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

6. This act shall be enforced by the same boards and in the same manner as the act [An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (revision of 1907), approved May 20, 1907] to which this act is a supplement and all penalties incurred under this act shall be sued for and recovered by [in] the same manner as penalties incurred under the provisions of the act to which this act is a supplement.

Ice Cream—Definition—Standards—When Deemed Adulterated or Misbranded—Sale. (Ch. 5, Act Feb. 20, 1922)

1. No person shall distribute or sell, or have in possession with intent to distribute and sell, any ice cream or ice-cream mixtures or compounds which are adulterated or misbranded within the meaning of this act.

2. Ice cream is hereby defined as the frozen product made from cream with the addition of milk or milk products or eggs, fruit juices, or nuts with or without sugar or artificial flavoring or colors. It shall contain not less than 8 per cent of milk fats, except when the ingredients include fruit, nuts, or eggs, in which case it shall contain not less than 6 per cent of milk fats.

3. All ingredients used in ice-cream mixtures or preparations shall be of good quality and free from rancid or harmful properties, and no artificial colors shall be used except those certified by the United States Department of Agriculture.

4. Ice cream shall be deemed to be adulterated within the meaning of this act if in substance or quality it fails to meet the provisions and standards herein set forth, or if it shall contain boric acid, salicylic acid, formaldehyde, saccharine, or any other substance or compound known or likely to be harmful to health: *Provided,* That nothing in this act shall be construed to prohibit the use of condensed or evaporated milk, milk powder, homogenized milk fats, gelatine, or vegetable gums.

5. Any mixture which contains substances or materials other than those enumerated in section 2 of this act, or which does not conform to the standards therein set forth, shall be deemed to be misbranded if marked or labeled "ice cream" [or ?] if represented to be ice cream.

6. Any person who violates any of the provisions of this act shall be liable to a penalty of \$50 for the first offense and to a penalty of \$100 for the second and each subsequent offense, such penalties to be recovered by the State department of health or by any local board of health in the manner prescribed for the recovery of penalties in the act [An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (Revision of 1907), approved May 20, 1907] to which this is a supplement.

7. No ice cream or other frozen product resembling ice cream shall be brought into the State of New Jersey for sale without a permit therefor issued by the director of health of the State of New Jersey, or otherwise than in accordance with the terms of said permit, and in compliance with the regulations governing the issuance of such permits, which shall be adopted by the department of health of the State of New Jersey.

Sewerage Districts—Creation and Establishment of, by Municipalities. Sewerage Systems in Sewerage Districts—Construction, Operation, and Maintenance of, by Municipalities. (Ch. 140, Act. Mar. 11, 1922)

1. It shall hereafter be lawful for the governing body of any municipality of this State to provide by ordinance for the creation and establishment within designated boundaries of a sewerage district or districts, and to provide for the construction, operation, and maintenance of sewerage systems, which may include sewage disposal works and pumping station in such district or districts.

2. Public notice of the intended creation and establishment of such proposed sewerage district or districts, and the construction of such sewerage systems, shall be given to the owners whose lands and real estate may be affected thereby. Such notice shall state the place where and the time when such governing body will consider said ordinance, and shall briefly describe the proposed boundaries and the improvements intended to be made in such district or districts. Such notice shall be published once in a newspaper circulating in the municipality at least 15 days, and be mailed to the known owners of all lands and real estate affected, at their last known post office address, at least 10 days before the date so fixed.

3. No sewerage district or districts shall be created or established or sewerage systems constructed in any municipality of this State where objections thereto in writing are filed with the clerk of such municipality before the final reading of the ordinance by the owners of 51 per cent in value of the lands and real estate in the district proposed to be assessed for benefits.

The question as to whether the necessary 51 per cent have joined in such objections, shall be determined by the governing body by the last preceding valuation for the purpose of taxation: *Provided, however,* That if the governing body shall determine and declare that such sewerage district or districts and sewerage systems are a public necessity, then such governing body may create and establish such district or districts and construct such sewerage systems, notwithstanding such objections. The owners of 51 per cent of the lands and real estate in the district or districts proposed to be assessed for benefits, whose signatures appear upon the objections filed with the governing body, may, however, within 10 days after the passing of such ordinance, file with the clerk of such municipality a written protest against the adoption of such ordinance, which ordinance shall

then remain inoperative until ratified by a majority of the legal voters residing in the district or districts voting on the proposition at the next general election, or at a special election to be held for that purpose.

4. Whenever a sewerage district or districts have been established, a copy of the ordinance creating and establishing the boundaries of the district or districts, together with a map showing the location thereof, shall be filed in the office of the clerk of the county in which the municipality is situated.

5. The cost of any and all of the work contemplated under the provisions of this act shall be paid for by notes or bonds under the provisions of an act entitled "An act to regulate and authorize the issuance of bonds and other obligations and incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission, approved March 22, 1916, and amendments thereof and supplements thereto."

6. The cost of the creation and establishment of such sewerage district or districts and the construction of such sewerage systems shall be assessed against the lands and real estate benefited thereby, and such assessments shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the district or districts where the same is imposed, and from the date of confirmation shall be a first and paramount lien upon the respective lands and real estate assessed, to the same extent, and shall be enforced and collected in the same manner, as assessments for local improvements.

No assessment shall be invalid by reason of failure to receive notice or any other informality.

7. The expense of the operation and maintenance of such sewerage systems, disposal works, and pumping stations shall be met by a levy against all the lands and real estate within the sewerage district or districts.

Sewers, Drains, and Sewage Disposal or Treatment Plants—Purchase or Contracting for the Use of, by Municipalities. (Ch. 49, Act Mar. 7, 1922)

1. Section 2 of Article XXI of the act⁴ [An act concerning municipalities approved March 27, 1917] to which this act is an amendment be and the same hereby is amended to read as follows:

2. The governing body of every municipality shall have power to purchase any sewer or drain, sewer or drain works, system of sewers or drains, or system of sewers and drains, sewer outlets, filtration beds, sewage treatment or disposal works, sewage receptacles and any or all such improvements as may be required to provide proper sewage service, or any rights, privileges, or interests therein or thereto, within or without the corporate limits of such municipality from any private individual or corporation owning the same, or from any other municipality, or may contract for the use thereof for a limited time or otherwise: *Provided, however,* That where any such system of sewers, drains, sewage disposal, or treatment plants or beds shall be located outside the corporate limits of the municipality purchasing the same and shall have been previously maintained and operated by the Government of the United States, to furnish sewer service to an army cantonment, that no application for the right to purchase, maintain, and operate such sewerage disposal plant shall be necessary to be made by the municipality purchasing the same to the municipality wherein the same shall be located, but the consent and approval of the State board of health must be obtained before such sewage disposal plant or works may be operated by the municipality or municipalities so purchasing.

⁴ Supplement 37 to Public Health Reports, p. 303.

NEW MEXICO

Communicable Diseases and Industrial Diseases—Reports of Cases. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. The following-named diseases and disabilities are hereby declared to be dangerous to the public health and made notifiable, and the occurrence of cases shall be reported as herein provided:

GROUP I—COMMUNICABLE DISEASES

Actinomycosis.	Mumps.
Anthrax.	Paratyphoid fever.
*Chancroid.	Plague.
Chicken pox.	Pneumonia (lobar).
Cholera (Asiatic).	Pneumonia (broncho).
Conjunctivitis (acute infectious).	Poliomyelitis (acute infectious).
Dengue.	Rabies (human)
Diphtheria.	Rabies (animal)
Dysentery, amebic.	Rocky Mountain spotted, or tick, fever.
Dysentery, bacillary.	Scarlet fever.
Encephalitis lethargica.	Septic sore throat.
Favus.	Smallpox.
Filariasis.	*Syphilis (all stages).
German measles.	Tetanus.
Glanders.	Trichinosis.
*Gonococcus infection.	Trachoma.
Hookworm disease.	Tuberculosis (the organ or part affected in each case to be specified).
Influenza.	Typhoid fever.
Leprosy.	Typhus fever.
Malaria.	Whooping cough.
Malta fever.	Yellow fever.
Measles.	
Meningitis (epidemic cerebrospinal)	

*See Section 2. Name of patient to be given only under certain circumstances.

GROUP II—OCCUPATIONAL DISEASES AND INJURIES

Arsenic poisoning.	Naphtha poisoning.
Brass poisoning.	Bisulphide of carbon poisoning.
Carbon monoxide poisoning.	Dinitrobenzine poisoning.
Lead poisoning.	Caisson disease (compressed-air illness)
Mercury poisoning.	Any other disease, disability or injury contracted as a result of the nature of the person's employment.
Natural-gas poisoning.	
Phosphorus poisoning.	
Wood alcohol poisoning.	

GROUP III—MISCELLANEOUS DISEASES

Beriberi.	Continued fever lasting seven days.
Drug addictions or habits.	Pellagra.
Cancer.	Puerperal septicemia.
Food poisoning.	

Provided, That the State director of public health may from time to time, in his discretion, declare additional diseases notifiable and subject to the provisions of these regulations.

SEC. 2. Every person who, in the State of New Mexico, treats or examines for the purpose of diagnosis or treatment any person suffering from, or afflicted with, or who suspects that any person treated or examined by him is suffering from, or afflicted with, any one of the diseases made notifiable by the preceding section, shall report such case to the local health officer or his agent, within whose jurisdiction the case occurs, within six hours after making a diagnosis, or suspecting the disease to be one required to be reported. Said report shall be transmitted either by telephone or in writing. If made in writing, the report shall be on the blank form required by section 6 of these regulations and may be forwarded by mail or special messenger or delivered in person at the office of the local health officer. If transmitted by telephone, the report shall be recorded by said local health officer, or his agent, at the time of receipt, on one of the blank forms provided by section 6 of these regulations; said report, whether in writing or by telephone, shall give the following information which is necessary for the protection of the public health and welfare:

- (1) County.
- (2) City, town, village, township, or school district.
- (3) Date when the report is made.
- (4) The name of the disease or suspected disease.
- (5) Date of onset.
- (6) The name, age, sex, race, and address of patient.
- (7) The school attended or place of employment and occupation of patient.
- (8) Name of householder or parent.
- (9) Number of adults and of children in the household.
- (10) Probable source of infection or origin of disease.
- (11) If the disease is, or is suspected to be, smallpox the report shall in addition show whether the disease is of the mild or virulent type, and whether the patient has ever been successfully vaccinated, and, if the patient has been successfully vaccinated, the number of times and dates or approximate dates of such vaccinations.
- (12) If the disease is, or is suspected to be, typhoid fever, paratyphoid, fever, scarlet fever, diphtheria or septic sore throat, the report shall show whether the patient, or any member of the household in which the patient resides, has been engaged or employed in the handling of milk, or other foods, for sale or preliminary to sale.

Provided, That if the person making the report is unable to secure any item or items of information mentioned in paragraphs (7), (8), (9), (10), and (12) of this section, without independent inquiry, he shall state that fact on the report, and it shall then be the duty of the local health officer, or his agent, within whose jurisdiction the case occurs to investigate the case and secure the information; and it shall be the duty of any person who may have information in relation thereto to answer correctly and to the best of his knowledge all questions put to him by said health officer, or his agent, which may be intended to elicit any information needed to verify or complete any report of a case of known or suspected notifiable disease, or to enable measures to be taken to prevent the spread of any such disease.

Provided further, That the name of a person suffering with chancreoid, gonococcus infection, or syphilis shall not be reported, except as required in the regulations governing the control of communicable diseases, as promulgated by the State board of public welfare.

If the disease is, or is suspected to be, cholera, diphtheria, plague, scarlet fever, smallpox, yellow fever, or typhus fever, the person making the report shall, in addition to the written report, give immediate notice of the case to the local health officer in whose jurisdiction the case occurs in the most expeditious manner available.

SEC. 3. The requirements of the preceding section shall be applicable to persons attending patients ill with any of the notifiable diseases in hospitals, asylums, or other institutions, public or private: *Provided*, That any local health officer may designate in writing an officer of any such hospital, asylum, or other institution within his jurisdiction to report, in the place of the attending physician or other person treating or examining the patient, the cases of notifiable diseases and disabilities occurring in, or admitted to, said hospital asylum, or other institution. When designation has been made as above provided, it shall be the duty of said designated officer to report all cases of notifiable diseases and injuries occurring in, or admitted to, such hospital, asylum, or other institution in the same manner as that prescribed for persons treating or examining patients.

SEC. 4. Whenever a person is known, or is suspected, to be afflicted with a notifiable disease, and no physician is in attendance, an immediate report of the existence of the case shall be made to the local health officer within whose jurisdiction the case occurs by the midwife, nurse, father, mother, or other person in charge of the patient, each in the order named.

SEC. 5. Every teacher and every person in charge of any public or private school, including Sunday schools, shall report immediately to the local health officer within whose jurisdiction the case occurs each and every case which he or she knows or suspects to be a case of a notifiable disease in any person attending or employed in his or her school.

SEC. 6. The written reports of cases of notifiable diseases required by these regulations of persons treating or examining persons afflicted with such disease, shall be made upon blanks supplied for the purpose by the State director of public health through the local health officer.

SEC. 7. Each local health officer shall forward by mail, within 24 hours, to the State bureau of public health, copies of all reports of notifiable diseases made to him, and shall retain the original reports as the permanent records of his office. On each copy of a report thus forwarded the local health officer shall state (1) the date the report was received by him, (2) the date the report was forwarded, (3) whether the case to which the report pertains was visited, or otherwise investigated by him or his agent, and (4) what measures were taken to prevent the spread of the disease or the occurrence of additional cases.

Communicable Diseases—Terms Defined—Duties of Health Officers—Placarding—Quarantine—Isolation—Disinfection—School Attendance—Handling and Sale of Food—Exposure to—Laboratory Examinations—Control Measures for Specific Diseases. Venereal Diseases—Placarding—Isolation—Quarantine—Disinfection—Treatment—Issuance of Certificates Showing Freedom from Infection—Circular of Information to be Furnished Patient—Periods of Communicability. (Reg. Bd. of Public Welfare, Nov. 20, 1922).

SECTION 1. *Repeal of former regulations.*—All regulations heretofore adopted by the State board of health, any local boards of health, or any local health officer, relating to the control of communicable diseases within the State, are hereby revoked.

SEC. 2. *Certain words and terms defined.*—Certain words and terms, as used in these regulations, shall be held to have the following meanings:

1. "Professional attendant" shall mean and include any person regularly licensed to practice medicine or surgery, any person engaged in the practice of midwifery, or any other person who makes a business of giving aid or advice to others for the purpose of alleviating physical or mental distress.

2. "Householder" shall be held to mean and include the parents, guardians, caretakers, or other persons who have charge of children or minors, or of the household or of a group or number of persons who dwell together or have their lodging or board together.

3. "Communicable disease" shall mean and include any disease which may be transmitted directly or indirectly, to other persons or animals. It shall embrace the terms infectious and contagious disease.

4. "Susceptible" shall mean a state of being nonimmune to, or liable to become infected with, a communicable disease.

5. "Contact" shall mean and include any person who has been sufficiently near to any infected person to make probable the transmission of the infectious agent to him.

6. "Carrier" shall mean and include any person who harbors the infectious agent of a communicable disease, but who, at the time, may be apparently in good health.

7. "Infectious agent" shall mean and include a virus or organism capable, under favorable conditions, of producing disease.

8. "Immune" shall mean a state of being insusceptible to, or not liable to become infected with, a communicable disease.

9. "Immunization" shall be held to mean the production of acquired immunity through successful vaccination, inoculation, or serum treatment, according to the nature of the disease.

10. "Isolation" shall be held to mean the separation of persons affected with, or presumably affected with, or carriers of, communicable disease, from other persons, in such manner as will prevent the direct or indirect conveyance of the infectious agent to other persons.

11. "Quarantine" shall be held to mean the restriction of movement of persons who have been exposed, or presumably exposed, to communicable disease, by confining such persons within a designated area, and the exclusion of other persons from such area.

12. "Disinfection" shall mean the process of destroying the vitality of a disease-producing organism or virus by physical or chemical means.

13. "Concurrent disinfection" shall mean the immediate disinfection or destruction of all infective, or presumably infective, materials.

(a) Bowel and urinary discharges shall be thoroughly mixed with an effective solution of some chlorine compound or with other disinfectant sufficient in amount to destroy the infectious agent.

(b) Nose and throat secretions and other discharges shall be caught on cotton, absorbent paper, or cloth, or in a suitable receptacle, and burned.

(c) Bedding, clothing, and other articles used by the patient, immediately after use, shall be exposed to steam under 15 pounds pressure for 5 minutes, or immersed in boiling water for 10 minutes, or in an equally effective disinfectant solution, or exposed to the direct rays of the sun for 8 hours.

14. "Terminal disinfection" shall mean the disinfection or destruction of infective, or presumably infective, materials after the removal of a person sick with a communicable disease, or when such person is no longer a source of infection.

(a) Bedding, clothing, and other articles used by the patient shall be treated as in concurrent disinfection.

(b) The floors of the room and the bed occupied by the patient shall be thoroughly cleansed and the room aired.

15. "Fumigation" shall mean the use of a gaseous agent for the destruction of vermin.

16. "Cleansing" shall be held to mean the removal of infective material by scrubbing and washing.

SEC. 3. *Duties of health officers.*—Whenever any case, suspected case, or carrier, of communicable disease shall occur in this State, it shall be the duty of the local health officer having jurisdiction, or his agent, immediately to institute the following measures for the protection of the public health:

(a) Make, or cause to be made, such investigation as shall be necessary to determine the nature of the disease.

(b) Provide for the instruction of the person infected, his attendants, and other members of the household as to the measures necessary for the protection of the public health.

(c) Establish and maintain such methods of control of the infected person and of persons exposed, or presumably exposed, as are hereinafter specified: *Provided*, That when the suspected case or carrier is determined not to be infected with a communicable disease he shall be released.

(d) Make, or cause to be made, such investigation as shall be necessary to determine the source of infection.

(e) If the infected person, carrier, any member of his household, or a non-immune contact is in attendance upon any public, private, or parochial school, notify the principal or teacher of such school of the existence of such case.

(f) If the disease is hereinafter required to be placarded, post a notice in some conspicuous place upon the premises occupied by the infected person, which shall bear the following inscription in both Spanish and English:

**WARNING!
COMMUNICABLE DISEASE
WITHIN**

No person, other than the health officer, his agent, or the professional attendant, shall enter or leave these premises, nor shall any one remove, mutilate, or deface this placard without permission from the health officer.

Signed -----

Health Officer.

Said notice shall be printed on white cardboard or substantial white paper of a size not less than 8 by 10 inches: *Provided*, That in the case of a hotel, lodging house, tenement house, or apartment house said placard may be posted at the main entrance to the room or apartment occupied by the infected person.

(g) When, because of distance, it shall be impossible to perform the duties prescribed in the preceding paragraphs, send by registered mail, with return receipt attached, to the householder upon whose premises the disease exists, a copy of such instructions as shall be necessary for the protection of the public health and, if required hereinafter by these regulations, a copy of the placard described in paragraph (f) above; the other measures required by this section to be instituted as soon thereafter as possible: *Provided*, That this paragraph shall not apply within a radius of 10 miles from the place of residence of the county health officer.

SEC. 4. *Duties of householders.*—Whenever any case, suspected case, or carrier of communicable disease shall occur in this State, it shall be the duty of the householder upon whose premises the case exists immediately to institute the following measures for the protection of the public health:

(a) Establish isolation, quarantine, and disinfection as may be hereinafter required.

(b) Upon receipt through the mail of a placard, as provided in the foregoing section, post the same securely in a conspicuous place upon his premises, where it shall remain until permission for its removal is granted by the health officer.

SEC. 5. *Duties of teachers.*—Whenever any case, suspected case, or carrier of communicable disease shall occur in this State, it shall be the duty of the principal or teacher of any public, private, or parochial school, if the infected person, carrier, any member of his household, or a nonimmune contact is in attendance upon said school, immediately to institute the following measures for the protection of the public health:

Exclude from school the infected person, carrier, members of his household, and nonimmune contacts who are in attendance upon said school until written permission for their return is received from the health officer or his agent.

SEC. 6. *Duties of professional attendants.*—Whenever any case, suspected case, or carrier of communicable disease shall occur in this State, it shall be the duty of the professional attendant, if there be such upon said case, immediately to institute the following measures for the protection of the public health:

Establish and maintain such measures of control as are hereinafter specifically provided, said measures to continue in force until control of the case has been instituted by the health officer having jurisdiction, or his agent: *Provided*, That this section shall not apply to the posting of a placard upon the premises.

SEC. 7. *Duties of dairymen and tradesmen.*—Whenever a case, suspected case, or carrier of communicable disease shall occur in this State, it shall be the duty of any dairyman or tradesman supplying milk or other food to the household in which the case exists immediately to institute the following measures for the protection of the public health:

(a) Discontinue the removal of food containers of any kind from such premises as may be placarded, in accordance with these regulations, until the placard is removed or until permission for removal of said containers is received in writing from the local health officer: *Provided*, That in the case of hotels, lodging houses, tenement houses, and apartment houses, this shall apply only to that portion occupied by the infected person.

(b) Disinfect all food containers taken from said premises by immersion in boiling water for 10 minutes or exposure to steam under 15 pounds pressure for not less than 5 minutes.

SEC. 8. *Cases or carriers in dairies, etc.*—When any person, living on a farm, dairy, or in any other establishment where milk or its products, or other foods, are handled for sale, shall be known or suspected to be affected with, or a carrier of, any communicable disease, no such food shall be sold, delivered, or distributed from such farm, dairy, or other establishment unless authorized in writing by the health officer having jurisdiction, or his agent; and said health officer may refuse such authorization unless such case or carrier be under efficient supervision and isolated in such manner as to be completely separated from other persons who may be handling such foods and from the premises where such foods are being handled.

SEC. 9. *Quarantine.*—(a) No person, other than the health officer, his agent, or the professional attendant, shall enter or leave any premises upon which a placard has been posted, while the same is in place, unless given written permission to do so by the health officer.

(b) No person shall remove, mutilate, or deface any placard posted in accordance with these regulations by the health officer, his agent, or a householder, until written permission for the removal of said placard is given by said health officer.

SEC. 10. *Escape from quarantine or isolation.*—When a person, isolated or quarantined as herein provided, shall leave, or be removed from, the jurisdiction of a local health officer, it shall be the duty of said health officer to notify the State bureau of public health immediately by telephone, telegraph, or messenger, giving the name and description of such person, together with the route of departure and the probable destination.

SEC. 11. *Exposure to communicable disease.*—No parent, guardian, or other person shall knowingly permit a minor to be exposed to a case or carrier of a communicable disease; nor shall a person having a communicable disease, or who is a carrier, expose any other person to infection.

SEC. 12. *Laboratory examinations.*—Wherever, in these regulations, a laboratory examination is required, such examination shall be made in a laboratory approved by the State bureau of public health.

SEC. 13. *Special measures for the control of communicable diseases.*—The following rules are prescribed for the guidance of local health officers and other persons in the control of communicable diseases, and they shall in general govern said health officers and other persons in the control of each disease in accordance with the provisions of the preceding regulations.

ACTINOMYCOSIS

1. No placard.
2. Isolation: None, provided that the patient is under adequate control and instructions are properly carried out; otherwise, he shall be isolated until all discharges have ceased.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of discharges from lesions, and of articles soiled therewith.
6. Terminal disinfection to be practiced.

General measures: Report by local health officer of infected animals, carcasses, or parts of carcasses to the cattle sanitary board.

ACUTE INFECTIOUS CONJUNCTIVITIS

1. No placard.
2. Isolation: Exclusion from school until discharges have ceased; otherwise, none, provided that the patient is under adequate control and instructions are properly carried out. If not under adequate control, or if instructions are not properly carried out, isolate until discharges have ceased.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of the conjunctival discharges and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Enforcement of regulations forbidding the use of common towels; (b) education in personal cleanliness; (c) use of 1 per cent silver nitrate solution in the eyes of the newborn.

ANTHRAX

1. No placard.
2. Isolation: None, provided that the patient is under adequate control and instructions are properly carried out; otherwise, isolate until all discharges have ceased.
3. Quarantine: None.
4. Immunization: None.

5. Concurrent disinfection of the discharges from the lesions, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: Report by local health officer of infected animals, carcasses, or parts of carcasses to the cattle sanitary board.

CHANCROID

See special regulations.

CEREBROSPINAL MENINGITIS (EPIDEMIC)

1. Placard required.

2. Isolation of the infected person or carrier until the nasopharynx is free from the infectious agent as demonstrated by laboratory test, where such facilities are available, or for two weeks from date of onset, or until the temperature has been normal for one week.

3. Quarantine of contacts until demonstrated not to be carriers, where laboratory facilities are available, or for 10 days from date of last exposure.

4. Immunization: None.

5. Concurrent disinfection of discharges from the nose and throat, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: (a) Search for carriers among families and associates of recognized cases, by bacteriological examination of the posterior nares of all contacts.

(b) Education of the public as to personal cleanliness, the necessity of avoiding overcrowding in living quarters, public conveyances, working establishments, and places of public assembly, and as to the necessity of adequate ventilation.

CHICKENPOX

1. Placard required.

2. Isolation: Exclusion of the infected person from school and prevention of contact with nonimmune persons until desquamation is complete.

3. Quarantine of nonimmune minors for 14 days from date of last exposure.

4. Immunization: None.

5. Concurrent disinfection of discharges from the nose, throat, and lesions, and of articles soiled therewith.

6. Terminal disinfection: None.

7. General measures: Every adult case of chickenpox shall be investigated as to the history of successful vaccination against smallpox.

CHOLERA (ASIATIC)

1. Placard required.

2. Isolation of the infected person or carrier until the stools are demonstrated by laboratory examination to be free of the infectious agent.

3. Quarantine of all contacts for five days from date of last exposure.

4. Immunization: Vaccination shall be offered.

5. Concurrent disinfection of the stools and vomited matter, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. Fumigation, with sulphur or cyanide gas, of entire house or apartment to kill flies.

8. Bodies of those dying from cholera to be cremated, or, otherwise, wrapped in a sheet wet with disinfectant solution and placed in water-tight caskets.

9. General measures: (a) Instruction of attendant in need for scrupulous cleanliness; disinfection of hands each time after handling the patient or touching articles soiled by the dejecta; avoidance of the eating or drinking of anything in the room of the patient.

(b) Search among families and associates of infected persons for carriers, by bacteriological examination of stools.

(c) Instruction of persons within the household occupied by the infected person to boil drinking water, unless the supply is adequately protected from contamination, and to eat only cooked food which has been protected from contamination by flies after cooking.

(d) Prohibition of the handling of food, for persons other than the patient, by the attendant.

(e) In case of epidemics, the maintenance of an inspection service for the early detection of cases; the examination of persons in general for the early detection of cases; the examination of persons in general, in infected centers, for the detection of carriers, and detention of those desiring to leave such centers for a period of five days.

(f) In case of epidemics, emergency chlorination of water supplies.

DENGUE

1. No placard.

2. Isolation of the infected person in a screened room for five days from date of onset.

3. Quarantine: None.

4. Immunization: None.

5. Concurrent disinfection; destruction of mosquitoes in the room occupied by the infected person.

6. Terminal disinfection: None.

7. Fumigation, with sulphur or cyanide gas, to destroy mosquitoes in the entire premises occupied by the infected person.

8. General measures: Eradication of mosquitoes by known methods of control, and instruction of householders in necessity of screening.

DIPHTHERIA

1. Placard required.

2. Isolation of the infected person or carrier until three bacteriological examinations of the secretions from the nose and throat, taken not less than 24 hours apart and not less than 12 hours after the use of a disinfectant in the nose or throat, fail to show the presence of diphtheria bacilli, except that isolation may be terminated after 30 days from the date of onset or of discovery of bacilli in the nose or throat, if persistent diphtheria bacilli prove to be avirulent: *Provided*, That, where laboratory facilities are not available, the case or carrier shall be isolated for not less than 30 days.

3. Quarantine of all exposed persons until shown by bacteriological examinations not to be carriers: *Provided*, That where laboratory facilities are not available, all contacts shall be quarantined for not less than 10 days.

4. Immunization shall be offered to all contacts, unless shown to be immune by the Schick test.

5. Concurrent disinfection of the discharges from the nose and throat, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: (a) Schick test surveys by the local health officer in schools and institutions, and active immunization of nonimmunes by the toxin-antitoxin method.

(b) Active search for carriers by bacteriological examinations.

(c) Investigation of milk supplies as possible sources of infection.

DYSENTERY (AMEBIC)

1. No placard.
2. Isolation: None, provided that the infected person is under adequate medical supervision.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of the bowel discharges and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Instruction of the public as to the necessity of boiling drinking water, if not properly protected, and in the danger of handling of foods, for persons other than the patient, by the attendant.
(b) Supervision and control of water and food supplies and of sewage disposal.

DYSENTERY (BACILLARY)

1. No placard.
2. Isolation of the infected person or carrier in a screened room as long as the infectious organism is found in the stools: *Provided*, That, where laboratory facilities are not available, the patient shall be isolated for not less than 15 days from the date of onset.
3. Quarantine: None.
4. Immunization: Vaccination may be offered.
5. Concurrent disinfection of bowel discharges, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Instruction of attendants in rigid personal cleanliness, and prohibition of the handling of food, for persons other than the patient, by the attendant.
(b) Supervision and control of water, milk, and food supplies.
(c) Proper sewage disposal and destruction of flies.

FAVUS

1. No placard.
2. Isolation: Exclusion of the infected person from school and from other public places until the lesions have healed.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of the toilet articles used by the infected person.
6. Terminal disinfection: None.
7. General measures: Instruction to contacts in personal cleanliness, and advice to the infected person as to the necessity for adequate and intensive treatment at a proper institution in order to abbreviate the period of communicability. Warning of children against the practice of wearing other persons' hats.

GERMAN MEASLES

1. No placard.
2. Isolation: Exclusion of the infected person from school and from other public places and from contact with nonimmune persons, for seven days from date of onset.
3. Quarantine of nonimmune minor contacts for 21 days from date of last exposure.
4. Immunization: None.
5. Concurrent disinfection of the discharges from the nose and throat, and of articles soiled therewith.

6. Terminal disinfection: None.
7. General measures: Search for suspected and incipient cases among school children and other appropriate groups.

GLANDERS

1. No placard.
2. Isolation of the infected person during the clinical course of the disease and until discharges have ceased.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of the discharges, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: Report by local health officer of infected animals, carcasses or parts of carcasses, to the cattle sanitary board.

GONOCOCCUS INFECTION

See special regulations.

HOOKWORM

1. No placard.
2. Isolation: None.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection: Sanitary disposal of the stools of the infected person.
6. Terminal disinfection: None.
7. General measures: (a) Search for infected persons and their proper treatment.
(b) Sanitary disposal of all human excreta.
(c) Wearing of shoes, at all times, in infected areas.

INFLUENZA

1. Placard required.
2. Isolation of the infected person during the acute catarrhal stage or a complicating pneumonia until the temperature has remained normal for five days.
3. Quarantine of the exposed members of the household for four days from date of last exposure.
4. Immunization: None.
5. Concurrent disinfection of discharges from the nose, throat, and bowels, and of articles soiled therewith.
6. Terminal disinfection. None.
7. General measures: Education of the public in personal cleanliness; in the dangers of overcrowding in public gatherings, on conveyances and at home; as to the dangers of using common cups, spoons and forks, and in the necessity of avoiding contact with persons having coughs and colds.

LEPROSY

1. Placard required.
2. Isolation of the infected individual during the course of the disease, in an institution where possible.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of discharges from the lesions and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: Education of the public, and of persons exposed, in personal cleanliness.

MALARIA

1. No placard.
2. Isolation: Protection of the infected person from the bites of mosquitoes until his blood is free from the malarial parasites.
3. Quarantine: None.
4. Immunization: The prophylactic use of quinine by exposed persons shall be advised.
5. Concurrent disinfection; destruction of any mosquitoes that may gain entrance to the sick room.
6. Terminal disinfection: None.
7. Fumigation, with sulphur or cyanide gas, to destroy any mosquitoes that may have gained entrance to the sick room.
8. General measures: (a) Employment of known measures for the destruction of the larvae of, and prevention of breeding of, Anopheline mosquitoes, where such are prevalent.
(b) Examination of individuals living in infected centers, to determine the incidence of infection.
(c) Distribution of free quinine for curative and prophylactic purposes.
(d) Education of the general public in the prevention of Anopheles breeding, screening of sleeping and living quarters, destruction of mosquitoes, and the prophylactic use of quinine.
(e) Intensive use of quinine by human carriers during the winter months.

MALTA FEVER

1. No placard.
2. Isolation: None.
3. Quarantine: None.
4. Immunization: Prophylactic vaccination should be offered as a possible protection.
5. Concurrent disinfection of urine and stools.
6. Terminal disinfection: None.
7. General measures: (a) Education of the public to the necessity of pasteurizing or boiling goats' milk in areas where the disease prevails.
(b) Sterilization of drinking water polluted by goats or by infected dogs and horses.
(c) Search for human carriers by agglutination tests and blood and urine cultures.
(d) Search for, and elimination of, infected goats.

MEASLES

1. Placard required.
2. Isolation of the infected person from onset and for five days from the date of eruption.
3. Quarantine: Exclusion of nonimmune contacts from school, from public gatherings, and from contact with children, for 15 days from the date of last exposure.
4. Immunization: None.
5. Concurrent disinfection of discharges from the nose and throat, and of articles soiled therewith.
6. Terminal disinfection: None.
7. General measures: (a) Education of the public as to the dangers of exposing children to those exhibiting catarrhal symptoms of any kind.
(b) Daily examination of school children, when disease is prevalent, and exclusion of any child exhibiting a rise of temperature of 0.5 degrees Centigrade, or suspicious catarrhal symptoms, or any eruption on the palatine or buccal membranes.

MUMPS

1. No placard.
2. Isolation of the infected person from children, and exclusion from school and from other public places, until the parotid and submaxillary glands are free from inflammation and the temperature is normal.
3. Quarantine: Exclusion of nonimmune contacts from school, from public gatherings, and from contact with children, for 25 days from date of last exposure.
4. Immunization: None.
5. Concurrent disinfection of the discharges from the nose and mouth.
6. Terminal disinfection: None.
7. General measures: Education of the public as to the danger of orchitis or oophoritis, with possible sterility.

PARATYPHOID FEVER

1. Placard required.
2. Isolation of the infected person in a screened room, or hospital if nursing care and adequate sanitary environment can not be secured in the home, during the course of the disease: *Provided, however,* That no person shall be released from isolation until stool and urine specimens have been submitted to an approved laboratory for examination. And in the event that either of the said specimens shall show the presence of paratyphoid bacilli, the case shall be released from isolation only on such terms and conditions as shall be prescribed by the director of public health as being necessary for the protection of the public health. Such terms and conditions shall remain in full force and effect until three successive negative cultures of both the stool and urine of the case have been secured, specimens for said cultures to be taken not less than 15 days apart.
3. Quarantine: None.
4. Immunization: Vaccination of all susceptibles shall be offered.
5. Concurrent disinfection of the bowel and urinary discharges, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Supervision and control of public milk and water supplies.
(b) Supervision and control of disposal of human excreta.
(c) Search for carriers, by examination of stools and urine.
(d) Extension of immunization by free vaccination.
(e) Supervision and control of food handlers.
(f) Institution of measures for the eradication of flies, and instruction to the public in the need of screening places where foods are prepared or eaten.

PLAGUE

1. Placard required.
2. Isolation of the infected individual, in a hospital if practicable, during the clinical course of the disease and until all discharges have ceased.
3. Quarantine of those in contact with pneumonic cases for seven days from date of last exposure.
4. Immunization: Passive immunization, with serum, of known exposed contacts and active immunization by vaccination of those who may be contacts, may be offered.
5. Concurrent disinfection of all discharges, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. Fumigation with sulphur or cyanide gas for the destruction of fleas and rats.
8. General measures: (a) General extermination of rats in infected districts, by known methods for their destruction.

(b) Examination of rats, ground squirrels, etc., in districts where the infection persists, for evidence of endemic or epidemic prevalence of the disease among them.

(c) Supervision of autopsies of all deaths during epidemics.

(d) Supervision of the disposal of all persons dead of the disease.

(e) Systematic search, by medical inspectors, for unreported or unrecognized cases.

PNEUMONIA, ACUTE LOBAR

1. No placard.

2. Isolation of the infected individual during the clinical course of the disease.

3. Quarantine: None.

4. Immunization. Vaccination of contacts may be offered.

5. Concurrent disinfection of discharges from the nose and throat, and of articles soiled therewith.

6. Terminal disinfection: None.

7. General measures: Education of the public in the need of avoiding overcrowding, especially in living quarters, and for keeping up the general resistance of the body by proper feeding, by avoiding unnecessary exposure and by practicing other hygienic measures.

POLIOMYELITIS, ACUTE INFECTIOUS (INFANTILE PARALYSIS)

1. Placard required.

2. Isolation of the infected person, in a screened room, during the course of the disease and during convalescence.

3. Quarantine of exposed children, and of exposed adults whose occupations bring them into contact with children or who are food handlers, for 14 days from the date of last exposure.

4. Immunization: None.

5. Concurrent disinfection of discharges from the nose, throat, and bowels, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: During epidemics, search to be made among all sick children for possible cases, especially those without paralytic symptoms, and all children with fever to be isolated until the diagnosis is established.

RABIES

1. No placard.

2. Isolation: None, if the infected person is under adequate medical supervision; otherwise, isolation required.

3. Quarantine: None.

4. Immunization: Preventive vaccination of the individual by inoculation, after exposure, shall be offered.

5. Concurrent disinfection of the saliva of the infected person, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: (a) Supervision and control of dogs allowed upon the streets. The director of public health may order all dogs within any area specified by him to be effectively muzzled, or confined, or else be impounded or killed, unless protected by inoculation with a vaccine of recognized potency.

(b) Detention and examination of all dogs suspected of having rabies. Suspected animals should not be killed unless definite symptoms appear. If the animal dies or is killed, the head must then be sent to the State public health laboratory for examination.

(c) Instruction of those attending patients in the need for avoidance of infecting wounds or scratches with saliva from the patient.

ROCKY MOUNTAIN SPOTTED FEVER

1. No placard.
2. Isolation of the infected person in such manner as to prevent tick bite, during the clinical course of, and convalescence from, the disease.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection: Destruction of ticks upon the infected person or upon clothing worn by him.
6. Terminal disinfection: None.
7. General measures: (a) Education of the public in the need for protection from ticks in infected zones.
(b) Destruction of ticks in infected zones by clearing and burning vegetation on the land.
(c) Destruction of ticks on domestic animals in infected districts by dipping.
(d) Pasturing sheep on tick-infested areas in infected districts.
(e) Destruction of small mammalian hosts such as ground squirrels, prairie dogs, chipmunks, etc., in areas where the disease is prevalent.

SCARLET FEVER

1. Placard required.
2. Isolation of the infected person for not less than two weeks and until all discharges from the ears or open sores have ceased.
3. Quarantine of exposed children, and of exposed adults whose occupations bring them into contact with children, who are food handlers, for seven days from the date of last exposure.
4. Immunization: None.
5. Concurrent disinfection of discharges from the nose, mouth, and open sores, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Search for mild, atypical cases which might go unreported and uncontrolled.
(b) Daily examination of exposed school children for seven days after last possible exposure.
(c) Education of the public in the dangers of exposing children to those having sore throats or catarrhal symptoms of any kind.
(d) Supervision and control of milk supplies.

SEPTIC SORE THROAT

1. Placard required.
2. Isolation of the infected individual during the clinical course of the disease and during convalescence.
3. Quarantine: None.
4. Immunization: None.
5. Concurrent disinfection of the discharges from the nose and throat, and of articles soiled therewith.
6. Terminal disinfection to be practiced.
7. General measures: (a) Supervision and control of milk supplies.
(b) Education of the public in personal hygiene.

SMALLPOX

1. Placard required.
2. Isolation of the infected person in a screened room, until desquamation is complete.

3. Quarantine of nonimmune contacts for 21 days from date of last exposure, or until protected by successful vaccination.

4. Immunization: External inoculation with cowpox virus shall be offered to all nonimmune contacts.

5. Concurrent disinfection of all discharges, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: Education of the public in the need of vaccination, and enforcement of the law requiring vaccination of school children before they may be permitted to attend school.

SYPHILIS

See special regulations.

TETANUS

1. No placard.

2. Isolation: None.

3. Quarantine: None.

4. Immunization: Protection of exposed persons, by the use of antitoxin, shall be offered.

5. Concurrent disinfection: None.

6. Terminal disinfection: None.

7. General measures: Education of the public in the dangers of infected wounds and in the necessity for the prophylactic use of tetanus antitoxin when wounds are acquired in regions where the soil is suspected of being contaminated with the tetanus bacillus, and in every case when a wound is soiled or penetrating.

TRACHOMA

1. No placard.

2. Isolation: Exclusion of the infected person from school as long as the lesions persist, unless receiving constant and adequate medical attention.

3. Quarantine: None.

4. Immunization: None.

5. Concurrent disinfection of the conjunctival discharges, and of articles soiled therewith.

6. Terminal disinfection: None.

7. General measures: (a) Search for cases by examination of school children and the families and associates of recognized cases.

(b) Enforcement of regulations prohibiting common towels in public places.

(c) Education of the public in personal cleanliness.

TRICHINOSIS

1. No placard.

2. Isolation: None.

3. Quarantine: None.

4. Immunization: None.

5. Concurrent disinfection: None.

6. Terminal disinfection: None.

7. General measures: Education of the public in the need for thorough cooking of all pork products at a temperature of 160° F., or over.

TUBERCULOSIS

1. No placard.

2. Isolation of such "open" cases as do not properly carry out the laws and regulations.

3. Quarantine: None.

4. Immunization: None.

5. Concurrent disinfection of discharges from the lesions, and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: (a) Education of the public concerning the dangers of tuberculosis and the methods of control, with especial stress upon the danger of exposure and infection in childhood.

(b) Provision, as far as possible, for dispensaries and visiting nurse service for early discovery and proper supervision of cases.

(c) Hospitalization of advanced cases, as far as possible.

(d) Advocacy of open-air schools and preventoria for pretuberculosis educational campaigns.

(e) Improvement of housing and working conditions by inspection and educational campaigns.

(f) Education of the public in personal cleanliness and in the need for better living conditions.

(g) Advice to persons affected with tuberculosis against having children.

TYPHOID FEVER

1. Placard required.

2. Isolation of the infected person in a screened room, or hospital if nursing care and adequate sanitary environment can not be secured in the home, during the course of the disease: *Provided, however,* That no person shall be released from isolation until stool and urine specimens have been submitted to an approved laboratory for examination. And in the event that either of the said specimens shall show the presence of typhoid bacilli, the case shall be released from isolation only on such terms and conditions as shall be prescribed by the director of public health as being necessary for the protection of the public. Such terms and conditions shall remain in full force and effect until three successive negative cultures of both the stools and urine of the case have been secured, specimens for said cultures to be taken not less than 15 days apart.

3. Quarantine: None.

4. Immunization: Vaccination of all susceptibles shall be offered.

5. Concurrent disinfection of the bowel and urinary discharges and of articles soiled therewith.

6. Terminal disinfection to be practiced.

7. General measures: (a) Supervision and control of public milk and water supplies. In epidemics, emergency chlorination of public water supplies, unless clearly demonstrated that such supplies are not the vehicle of infection.

(b) Supervision and control of disposal of human excreta.

(c) Search for carriers by examination of stools and urine.

(d) Extension of immunization by free vaccination.

(e) Supervision and control of food handlers.

(f) Institution of measures for the eradication of flies and instruction of the public in the need of screening places where foods are prepared or eaten.

TYPHUS FEVER

1. Placard required.

2. Isolation of the infected person in a vermin-free room during the clinical course of the disease.

3. Quarantine of contacts for 12 days from date of last exposure and until free from lice. When typhus fever is present in a community, persons or premises infested with lice shall be quarantined until thoroughly deloused.

4. Immunization: None.

5. Concurrent disinfection: Destruction of lice and eggs on the body and clothing of the patient and in the room occupied by the infected individual.

6. Terminal disinfection: Destruction of all lice and eggs on clothing and in the room occupied by the infected individual.

7. General measures: (a) Eradication of lice on persons and clothing and in premises during epidemics.

(b) Education of the public in the need for improvement in general living conditions and for the eradication of lice.

WHOOPING COUGH

1. Placard required.

2. Isolation of the infected person from children and exclusion from school and other public places, from commencement of symptoms and for at least four weeks after the commencement of the spasmodic stage.

3. Quarantine of exposed children for 14 days from date of last exposure; provided, that susceptible contacts may be released from quarantine if not coughing, and if receiving three inoculations of fresh pertussis vaccine, the first dose to contain not less than 2,000,000,000 killed bacilli, the second and third not less than 4,000,000,000 killed bacilli; provided, that the first dose shall be administered within 5 days from exposure, and the third dose within 15 days after the administration of the first dose.

4. Immunization: Vaccination of susceptible contacts may be offered.

5. Concurrent disinfection of the discharges from the nose and throat, and of articles soiled therewith.

6. Terminal disinfection: None.

7. General measures: (a) Education of the public in personal cleanliness and in the necessity of avoiding association or contact with those showing catarrhal symptoms with cough.

(b) Exclusion from school of children with coughs when the disease is present.

(c) Education of parents as to the danger of whooping cough, especially its high mortality in infants.

YELLOW FEVER

1. Placard required.

2. Isolation of the infected individual in a screened room, for the first three days.

3. Quarantine: None.

4. Immunization: Vaccination may be offered.

5. Concurrent disinfection: Destruction of mosquitoes in the room occupied by the infected person.

6. Terminal disinfection: None.

7. Fumigation, with sulphur or cyanide gas, of the entire premises occupied by the infected person, for the destruction of mosquitoes.

8. General measures: (a) Eradication of mosquitoes by known methods.

(b) Inspection service in time of epidemics for the detection of those ill with the disease.

CHANCROID—GONOCOCCUS INFECTION—SYPHILIS

NOTE.—In these regulations the masculine gender shall include the feminine.

1. Placard required when the infected person fails to observe these regulations.

2. Isolation: None, so long as the infected person is receiving proper treatment and is not conducting himself in such a manner as to expose others to infection: *Provided, however,* That if the infected person is not receiving proper treatment, or is conducting himself in such a manner as to expose others to infection, it shall be the duty of the professional attendant, or of any person familiar with the facts, to report the same, together with the name and address of the infected person, to the local health officer, who shall immediately isolate the infected

person until such time as he is no longer a danger to the public health or is willing to observe the requirements of these regulations.

3. Quarantine: None so long as the exposed person does not endanger the public health: *Provided, however,* That persons known to have been exposed to infection, and who conduct themselves in such a manner as to endanger the public health, shall be quarantined until shown to be no longer dangerous to the public health.

4. Immunization: None.

5. Concurrent disinfection of all discharges from the lesions and of articles soiled therewith.

6. Terminal disinfection: None.

7. Special regulations: (a) When a person applies to a physician or other person for the diagnosis or treatment of syphilis, gonorrhea, or chancroid it shall be the duty of the physician or person so consulted to inquire of and ascertain from the person seeking such diagnosis or treatment whether such person has theretofore consulted with or has been treated by any other physician or person and, if so, to ascertain the name and address of the physician or person last consulted. It shall be the duty of the applicant for diagnosis or treatment to furnish this information, and a refusal to do so, or a falsification of the name and address of such physician or person consulted by such applicant, shall be deemed a violation of these regulations. It shall be the duty of the physician or other person whom the applicant consults to notify the physician or other person last consulted of the change of advisers.

(b) Whenever any professional attendant in this State shall have in his care for treatment any person infected with chancroid, gonococcus infection, or syphilis, it shall be his duty to see that said infected person receives regular treatment until rendered noninfectious. If said infected person fails to report for treatment after having been instructed to do so by said professional attendant, it shall be the duty of the latter to report this fact, together with the name and address of the infected person, to the local health officer, not later than the tenth day after the date upon which said infected person was to report: *Provided,* That said report shall not be made if said professional attendant has been notified or has information that the infected person has placed himself in the care of another professional attendant.

(c) Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal disease: *Provided,* This rule shall not prevent the issuance of necessary statements of freedom from infectious diseases written in such form, or given under such safeguards, that their use in solicitation for sexual intercourse would be impossible.

(d) It shall be the duty of every person who shall treat a case of chancroid, gonococcus infection, or syphilis to hand to every such patient a circular, furnished by the local health officer, describing the nature of his disease and methods for preventing its spread.

8. General measures: (a) Search by health officer for possible carriers of infection and institution of proper methods for their control, particularly among prostitutes and their associates.

(b) Education of the public as to the sources and dangers of such infection.

(c) Education of parents in the best methods of instructing their children regarding the dangers of promiscuous sexual relations.

NOTE 1.—A case of venereal disease shall be considered dangerous to the public health so long as any of the following conditions exist:

(a) In the case of syphilis, a diagnosis of syphilis with open lesion of skin or mucous membrane, or lesion of the testicle in the male. A positive Wassermann test alone is not considered a sufficient warrant for regarding a patient as infectious.

(b) In the case of gonorrhea a diagnosis of gonorrhea based on either clinical findings, or the demonstrated presence of an intracellular or Gram negative diplococcus in secretions from the genito-urinary tract, or on both clinical and laboratory evidence.

(c) In the case of chancre, a diagnosis of chancre with open lesion of skin or mucous membrane.

NOTE 2.—The standards for discharge from treatment, or isolation, shall be as follows:

(a) In the case of syphilis complete healing of all lesions of skin or mucous membrane and of the testicle in the male.

(b) In the case of gonorrhea the absence of discharge or other clinical signs and the absence of Gram negative diplococci in secretions from the genito-urinary tract on three separate days, when smears are made and examined microscopically.

(c) In the case of chancre complete healing of all lesions of skin or mucous membrane.

Ophthalmia Neonatorum—Preventive Treatment. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION. 1. It shall be the duty of any physician, nurse, midwife, or other person, in attendance upon a case of childbirth, to introduce, into each eye of the newborn infant, within one hour of its birth, a 1 per cent solution of silver nitrate, or an antiseptic of equal potency and harmlessness except as hereinafter provided.

SEC. 2. It shall be the further duty of the attendant mentioned in section 1 above to certify on the certificate of birth that the prophylactic treatment mentioned in section 1 was actually applied as directed and to state what preparation was used for this purpose, except as hereinafter provided.

SEC. 3. If the parent or guardian of a newborn infant has a bonafide conscientious objection to the use of any drug, it shall be the duty of the person in attendance upon the birth to present to said parent or guardian a certificate, substantially in the form hereinafter set forth, for signature by him, and it shall be the duty of said parent or guardian to sign said certificate, which shall be attached to and become a part of the certificate of birth of said newborn infant. Upon the signing of such certificate of objection by such parent or guardian, and the attachment thereof to the birth certificate duly prepared and delivered to a lawful subregistrar or health officer, the attendant mentioned herein shall be deemed to have complied with the provisions of sections 1 and 2 of these regulations.

SEC. 4. The certificate mentioned in section 3 hereof shall be substantially in the following form:

FORM OF CERTIFICATE TO BE SIGNED BY PARENT OR GUARDIAN REFUSING THE USE OF A PROPHYLACTIC AGENT IN THE EYES OF HIS NEWBORN INFANT

I hereby certify that I am opposed to the use of any prophylactic in the eyes of my infant, who was born this _____ day of _____ 19_____, and that I assume full responsibility for any consequences that may result from my refusal to allow the use of said prophylactic.

Date _____ Signed _____

*Parent or guardian.

Witness _____ Address _____

*Physician, nurse, midwife, other attendant.

*Strike out words that do not apply.

SEC. 5. Antiseptics of potency and harmlessness equivalent to a 1 per cent solution of silver nitrate, as provided in section 1 hereof, shall be understood to be the following and no others:

Twenty-five per cent solution of argyrol or 5 per cent solution of protargol or solutions of other silver compounds of equivalent strength and harmlessness to the eyes of the newborn.

County Health Officers—Qualifications Required for Appointment as, at a Compensation Greater than \$1,800 per Annum. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. No person shall be appointed as a county health officer in this State at a compensation greater than \$1,800 per annum unless he shall have one or more of the following qualifications:

(a) Experience as a full-time county or municipal health officer or as an assistant to such a health officer.

(b) A diploma or certificate setting forth the fact that he has completed a special course of training, in some school of recognized standing, covering instruction in sanitary science and public health administration.

(c) Evidence, secured by a special investigation by the director of public health, tending to demonstrate that the candidate has such fundamental training in sanitary science, and such personal qualities as would fit him for a position as a county health officer competent to receive greater compensation than \$1,800 per annum.

(d) The successful completion of a written examination in sanitary science and public health administration; said examination to be prepared by the State director of public health. The questions and the replies thereto shall be submitted, by the State director of public health, to two county health officers in this State who have had special training and experience in sanitary science and public health administration. They shall grade the replies independently, on a percentage basis, and submit their findings to the State director of public health. Said director of public health shall then grade the replies independently and shall then combine the three results in an average grade, which shall be considered the final result. Said final average shall be not less than 75 per cent in order to qualify the candidate as having successfully completed the examination within the meaning of this section.

Sewage Treatment Plants—Operation. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

By-passing.—No raw or unsettled sewage shall be by-passed either at the inlet or from the siphon chamber except when absolutely necessary. Whenever by-passing becomes necessary the length of time and the reason for it should be reported to the State bureau of public health.

NOTE.—This rule applies to any and all plants.

Grit chambers.—(1) Grit chambers shall be flushed out or cleaned out after every storm.

(2) In time of dry weather they shall be cleaned out whenever the contents obstructs the flow of the sewage or tends to become a nuisance. (Such cleaning may be necessary every week.)

(3) Contents of grit chambers shall be either hauled away and buried or dried upon a sludge bed and then disposed of in the most convenient manner that will not cause a nuisance.

(4) All valves shall be kept in good operating condition.

(5) In case the grit chamber has a system of screens, these screens shall be cleaned thoroughly every day.

(6) Grit chambers without screens shall be inspected at least once each week. Screens shall be inspected and cleaned daily.

Septic tanks.—(1) The contents of septic tanks shall be disturbed as little as possible.

(2) The accumulation of scum and sludge shall not be allowed to decrease the working capacity of the tank more than 20 per cent. In general the scum and sludge shall be removed at least every six months, preferably in the spring and fall, or more often if a dark flaky substance appears in the effluent.

(3) The inlet channels, valves, and outlet channels shall be kept clean and in good working condition. Valves shall be operated occasionally to prevent their "sticking."

(4) Every part of the tank shall be kept readily accessible. (Low, flat covers are detrimental to good operation and are not essential.)

(5) No naked lights of any kind should be taken into any septic tank or compartments accessory thereto.

(6) Septic tanks should be inspected not less often than twice each week, and preferably daily.

NOTE.—The above rules apply to the ordinary Cameron type of septic tank. For direction concerning the operation of other types apply to the engineer of the State bureau of public health.

Imhoff tanks.—(1) Every part of an Imhoff tank shall be kept readily accessible. All low, flat covers are detrimental to successful plant operation.

(2) The inlet channels, valves, and outlet channels shall be kept clean and in good working condition. Valves shall be operated occasionally to prevent "sticking."

(3) Do not allow sludge to accumulate on the side-walls or bottom of the flowing-through chamber. In removing such sludge, force it, with the squeegee, entirely through the slot in the bottom and into the digestion chamber.

(4) Any scum on the surface of the flow chamber shall be skimmed off and dumped into the gas vents. Any oily material shall be skimmed off and buried.

(5) Break up any gas-lifted sludge (scum) in the gas vents frequently to release the entrained gases and allow the sludge to resettle. Where foaming in the gas vents can not be controlled consult the engineer of the State bureau of public health.

(6) Remove sludge from the bottom of the tank at least every six months, preferably in the spring and fall, or more often as conditions may demand. The removal of small amounts of sludge every four to eight weeks is frequently advantageous and is necessary if digestion chamber is too small. Care should be taken to remove only the well-ripened sludge. Obtain detailed advice on this subject from the engineer of the State bureau of public health.

(7) Never allow the sludge in the sludge chamber to rise closer to the slot than 18 inches.

(8) Make sure, late each fall, when the sludge is removed, that the storage capacity of the sludge chamber is sufficient for the storage of the winter sludge.

(9) Always back fill the sludge pipe with water or settled sewage, and flush out the pipe running to the sludge bed, after sludge has been withdrawn.

(10) No naked light should be taken inside of a closed or housed Imhoff tank.

Dosing chambers.—(1) Any appreciable amount of sludge accumulating in the dosing chamber, which will in any way find its way into the siphons and be discharged upon the filter beds, shall be removed to the sludge bed when available, or put back into the treatment tank, or be disposed of in some other effective manner so as not to become a nuisance.

(2) The operator shall familiarize himself with the construction and operation of the siphons. It will be necessary to examine the auxiliary piping, valves, etc., from time to time. When the pipe line or other parts of the siphons are removed, great care must be taken to replace same properly. Any troubles arising which can not be corrected by the operator, shall be referred to the manufacturer or to the engineer of the State bureau of public health, giving full particulars as to the difficulties encountered.

Intermittent sand filters.—(1) Keep watch for all wash-ins and repair immediately after they occur.

(2) Remove the sludge which gathers on the surface of the beds so as to maintain good operation at all times and thus prevent ponding.

(3) Never disturb the sand on the surface of the bed deeper than is necessary to break the scum, or sludge, and obtain a good infiltration, and do not remove any sand unless necessary to prevent ponding. Under no circumstances shall the surface of a sand bed be plowed under or be mixed in any other way with the rest of the sand.

(4) Keep the surface free from weeds and grass.

(5) In late fall prepare the beds for winter operation by piling or ridging sand.

(6) Regulate the openings in the distributing troughs and pipes so as to secure a uniform distribution of sewage over the surface of the beds.

(7) Do not allow the filter beds to stand flooded.

(8) Sewage shall never be passed directly to the underdrains by digging holes through the sand.

(9) Never add new sand which has not been approved by the engineer of the State bureau of public health.

(10) Repair a broken vent pipe immediately.

(11) Never permit a team or any other heavy machine that will tend to compress the sand to be driven over the sand beds.

Trickling filters.—(1) The nozzles shall be kept clean so that the sewage spray may be evenly distributed.

(2) The filter medium must be kept free from surface mat or vegetable growth which may cause pooling.

(3) Distribution pipes and underdrains must be flushed out occasionally so as to prevent any accumulation of putrescible organic matter.

Contact filters.—(1) Care must be taken to see that the timed siphons regulating the rest period, the filling and emptying period, and the contact period are working properly.

(2) Remove all the solid material or vegetable growth from the surface of the contact bed to prevent clogging or pooling.

(3) When oily matter or other difficult material clogs the contact filter below the surface it will be necessary to replace the clogged filter stone with clean filter stone.

Secondary settling tanks.—(1) In no case shall the contents of plain secondary sedimentation tanks be allowed to become septic. The sludge from such tanks must be removed frequently to prevent its becoming septic.

(2) For secondary sedimentation tanks of the Imhoff type, see the directions above for Imhoff tanks.

Sludge beds.—(1) Sludge shall be allowed to remain on the sludge bed until thoroughly dry.

(2) Dry sludge shall be removed from the bed before more sludge is applied.

(3) In removing sludge from the bed be careful not to remove any more sand or other filter medium than is absolutely necessary. Sufficient new sand should be added to make up any such loss.

Separate sludge digestion plants.—(1) Separate sludge digestion plants must be inspected and operated at least once daily, preferably twice daily, morning and evening.

(2) At each inspection, all scum on the surface of the sedimentation tanks must be raked over the scum weirs into the sludge digestion tank.

(3) Sludge shall be discharged at frequent intervals, not less often than twice a week, from primary sedimentation chambers, nor less often than once a week from secondary sedimentation chambers, into the sludge digestion chambers. Sludge shall be discharged more often if necessary to maintain a nonseptic effluent from the sedimentation tank.

(4) Inlet and outlet weirs and chambers shall be cleaned daily of sludge and scum accumulations or of any obstructions.

(5) Digested or ripened sludge shall be discharged from the sludge digestion tank on to the sludge bed whenever the accumulation of sludge makes this necessary or advisable. Digested sludge should be discharged at least twice a year, in the spring and autumn. Care must be taken to discharge only thoroughly digested sludge.

(6) Sufficient sewage effluent or raw sewage water must be turned into the sludge digestion tank to keep the ripening sludge sufficiently liquid to discharge readily on to the sludge drying bed, and to make up any evaporation losses.

Sewage effluent chlorinating plants.—Such plants shall be operated in accordance with detailed operating directions issued for each such plant by the engineer of the State bureau of public health.

General caution.—When working in manholes, or in any confined areas, around a sewage treatment plant, remember that much gas is held entrained in decomposing sewage sludge. When the pressure on the sludge is relieved from any cause, such gas may escape from the sludge in quantities sufficient to cause asphyxiation and may cause death in extreme cases.

Births and Deaths—Registration. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. It shall be the duty of the health officer of every county within the State to act as the local registrar of vital statistics for the territory within which he has jurisdiction. He shall appoint subregistrars for the several districts of his county, as provided by law, and shall receive from them the certificates of birth and death which they collect each month.

Sec. 2. It shall be the duty of each subregistrar, who is appointed as provided by law, to receive certificates for all births and deaths occurring in his district and to issue burial or removal permits, as required by the regulations of this board governing the disposal, interment, disinterment, and transportation of the dead. He shall carefully preserve all such certificates collected during any one month and, not later than the 5th of the following month, he shall forward them to the county health officer having jurisdiction over his district.

Deaths.—SEC. 3. The death of every person who dies, or whose body is found dead, within this State shall be certified to the local health officer, or subregistrar, as hereinafter provided, upon a form approved by the State director of public health with a view to procuring a full and accurate report in respect of each item of information enumerated in section 4.

SEC. 4. The certificate of death shall contain the following items which are hereby declared necessary for the purposes subserved by registration records:

(1) Place of death, including State, county, township, village, town, or city. If a city, the ward, street, and house number; if in a hospital or other institution the name of the same to be given instead of the street and house number; if in an industrial camp, the name or designation of the camp to be given.

(2) Full name of decedent; if an unnamed child, the surname preceded by "Unnamed."

(3) Sex.

(4) Color or race—as white, black, mulatto (or other negro descent), Indian, Mongolian, or other.

(5) Conjugal condition—as single, married, widowed, or divorced.

(6) Date of birth, including the year, month, and day.

(7) Age, in years, months and days; if less than one day, the hours or minutes.

(8) Occupation: The occupation is to be reported of any person, male or female, who had any remunerative employment, with the statement of (a) trade, profession or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(9) Birthplace: At least State or foreign country, if known.

(10) Name of father.

(11) Birthplace of father: At least State or foreign country, if known.

(12) Maiden name of mother.

(13) Birthplace of mother: At least State or foreign country, if known.

(14) Signature and address of informant.

(15) Official signature of subregistrar, with the date when certificate was filed

(16) Date of death: Year, month, and day.

(17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause or complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment, together with the signature and address of physician or official making the medical certificate and date of signature.

(18) Length of residence (for inmates of hospitals and other institutions, transients or recent residents) at place of death and in the State, together with the place where disease was contracted, if not at place of death, and former or usual place of residence.

(19) Place of burial or removal; date of burial.

(20) Signature and address of undertaker or person acting as such.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit, as required by the regulations of the State board of public welfare governing the disposal, interment, disinterment, and transportation of the dead; and any certificate containing only such terms, as defined by the "International list of causes of death" shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. For deaths in hospitals, institutions, or of nonresidents, the

physician shall supply the information required under this head (Item 18) if he is able to do so, and shall state where, in his opinion, the disease was contracted.

SEC. 5. The undertaker, or person acting as such, shall file the certificate of death with the health officer, or subregistrar, in the village, city, town, county, or district where the death occurred prior to the issuing of a burial or removal permit for the disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer, or coroner or person acting as such, as hereinafter provided, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in section 4. He shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and present the completed certificate to the local health officer, or subregistrar.

SEC. 6. In the case of any death occurring without the attendance of a duly licensed practitioner of medicine or osteopathy, it shall be the duty of the undertaker or person acting as such, to notify the health officer, or subregistrar, of such death, and when so notified, if the person notified be the subregistrar, he shall inform the health officer and refer the case to him for investigation and certification: *Provided*, That when the health officer is not a physician, or when there is no such official, or when the death occurs at a place more than 10 miles from the residence of the health officer, and in such cases only, the medical certificate may be made from the statement of relatives or other persons having adequate knowledge of facts, but shall be signed by the health officer and the name of the informant given: *Provided further*, That if the health officer, or subregistrar, shall have reason to believe that the death may have been due to unlawful act or neglect, he shall then refer the case to the coroner or other proper officer for his investigation and certification. And the coroner or other officer whose duty it is to hold an inquest on the body of any deceased person shall complete the medical certificate, stating the name of the disease causing death, or if from external causes, (1) the means of death; (2) whether (probably) accidental, suicidal, or homicidal; shall sign the certificate as coroner; and shall, in any case, furnish such information as may be required by the State director of public health in order properly to classify the death.

Stillbirths.—SEC. 7. A stillborn child shall be certified as a birth and also as a death, and separate certificates of both the birth and death shall be filed with the health officer, or other person as herein provided, in the usual form and manner, the certificate of birth to contain in place of the name of the child, the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn" with the cause of the stillbirth, if known; whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided in section 6.

Births.—SEC. 8. The birth of every child born in this State shall be certified to the local health officer, or subregistrar, as hereinafter provided, upon a form approved by the State director of public health with a view to procuring a full and accurate report in respect of each item of information enumerated in section 9.

SEC. 9. The certificate of birth shall contain the following items, which are hereby declared necessary for the purposes subserved by registration records:

(1) Place of birth, including State, county, township, town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.

(2) Full name of child. If child dies without a name, before the certificate is filed, enter the words "Died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report as herein-after provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

(5) For plural births, number of each child in order of births.

(6) Whether legitimate or illegitimate.

(7) Date of birth, including the year, month, and day.

(8) Full name of father.

(9) Residence of father, and post-office address.

(10) Color or race of father.

(11) Age of father at last birthday, in years.

(12) Birthplace of father; at least State or foreign country, if known.

(13) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(14) Maiden name of mother.

(15) Residence of mother and post-office address.

(16) Color or race of mother.

(17) Age of mother at last birthday, in years.

(18) Birthplace of mother; at least State or foreign country, if known.

(19) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(20) Number of children born to this mother, including present birth.

(21) Number of children of this mother living.

(22) Whether prophylactic to prevent infant blindness was used, and, if so, what preparation.

(23) The certification of the attending physician or midwife, as to attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the health officer, or sub-registrar, as required by section 8.

(24) Exact date of filing in office of health officer, or subregistrar, attested by his official signature.

SEC. 10. Within 10 days after the date of each birth there shall be filed with the health officer, or subregistrar, for the village, town, city, county, or district in which the birth occurred a certificate of such birth.

In each case where a physician, midwife, or person acting as a midwife was in attendance upon the birth, it shall be the duty of such physician, midwife, or

person acting as midwife to file in accordance herewith the certificate herein contemplated.

In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred each in the order named, within 10 days after the date of such birth, to report to the health officer, or subregistrar, the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife, in attendance upon the birth, is unable by diligent inquiry to obtain any item or items of information contemplated in section 9 of these regulations, it shall then be the duty of the health officer, or subregistrar, to secure from the person so reporting, or any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the health officer, or subregistrar, which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 9, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested to do so by the health officer, or subregistrar.

SEC. 11. When any certificate of birth of a living child is presented without the statement of the given name, then the health officer, or subregistrar, shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the health officer, or subregistrar, as soon as the child shall have been named.

SEC. 12. The State director of public health shall prepare, print, and supply to all health officers all blanks and forms used in registering, recording, and preserving the returns or otherwise in carrying out the provisions of these regulations and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of said provisions and the maintenance of a perfect system of registration. No other blanks shall be used than those supplied by the State director of public health. He shall carefully examine the certificates received monthly from the health officers, and if any of such are incomplete and unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply upon a form provided by the State director of public health, or upon the original certificate, such information as they may possess regarding any birth or death, upon demand by the State director of public health, in person, by mail, or through the local health officer: *Provided*, That no certificate of birth or of death, after its acceptance for registration by the local health officer, or subregistrar, and no other record made in pursuance of these regulations, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State director of public health shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous index of all birth and death registrations; said index to be arranged alphabetically in the case of deaths by the names of the decedents, and in the case of births by names of fathers, mothers, and children.

SEC. 13. Each local health officer shall supply blank forms of certificates to such persons as require them. Each local health officer, or subregistrar, shall carefully examine each certificate of birth or death when presented for record in

order to ascertain whether or not it has been made out in accordance with the provisions of these regulations and the instructions of the State director of public health, and if any certificate of death is incomplete or unsatisfactory it shall be his duty to call attention to the defects in the return and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or death, shall be written legibly in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If a certificate of birth is incomplete, the local health officer, or subregistrar, shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained.

SEC. 14. The official originally receiving the certificates of birth and death, whether subregistrar or health officer, shall sign his name and date of filing upon said certificates, using the spaces provided therefor. In certifying to county treasurers the amount due each subregistrar, as provided in section 9, chapter 145, laws of 1921, the director of public health shall be guided entirely by said signatures and no credit may be given a subregistrar unless his name so appears on the certificate of birth or death.

SEC. 15. After making copies of all certificates of birth and death, as provided by law, the health officer shall forward all original certificates of birth and death for any one month, not later than the 10th of the following month, to the State director of public health, as provided in section 9, chapter 145, laws of 1921.

Birth and Death Records—Examination of. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. Records of births and deaths may be examined only in the actual personal presence of the legal custodian of such records, or his lawful deputy, who shall exercise sufficient supervision during such examination to insure that the record shall not be altered, mutilated, removed, or destroyed.

SEC. 2. Any person who desires to examine a record of birth or death shall state to the legal custodian of such record the name of the person whose birth or death record he desires to examine; shall give the date and place of such birth or death, if known to him; and shall state his own name and address, and the nature of his relationship to the person named in such record, if any, and his purpose and authority for examining such record.

SEC. 3. The legal custodian of birth and death records shall not allow examination of such records by any person not having a proper personal or legal interest therein, and shall not permit the making of lists of names for advertising or any other purpose from such records or the examination of any other records than the one named by the person making application to examine the record, except as noted in section 4 hereof.

SEC. 4. Officers of the State, of the county, and of municipalities shall be permitted at all times during regular office hours to have access to records of births and deaths, for any and all official purposes.

Dead Bodies—Interment, Disinterment, and Transportation. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. The body of any person whose death occurs in this State, or who shall be found dead therein, shall not be interred, deposited in any vault or tomb, cremated or otherwise disposed of, or removed from or into any village, town, city, or county in New Mexico, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the health officer

or subregistrar in the village, town, city, or county in which the death occurred or the body was found.

SEC. 2. No burial or removal permit shall be issued by any health officer or subregistrar, except where the body is disinterred, until a complete and satisfactory certificate of death, as required by the regulations of the State board of public welfare, has been filed with him: *Provided*, That when a dead body is transported into a village, town, city, or county in New Mexico for burial, the transit and removal permit issued in accordance with the laws and regulations where the death occurred shall be accepted by the health officer or subregistrar in the village, town, city, county, or district into which the body has been transported for burial or other disposition, as a basis upon which he may issue a local burial permit. He shall note upon the face of the burial permit the fact that it is for a body shipped in for interment and give the place of actual death.

SEC. 3. When the cause of death shall be certified as "stillborn," a burial or removal permit of the prescribed form shall be required: *Provided*, That no burial or removal permit shall be required for a child that has not reached the fifth month of uterogestation.

SEC. 4. If the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the health officer, or subregistrar, over his signature, that a satisfactory certificate of death having been filed with him as required by the regulations of the State board of public welfare, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon a form approved by the State director of public health.

SEC. 5. No person in charge of any premises in which interments are made shall inter or permit the interment or other disposition of any body on such premises, unless it is accompanied by a burial permit, as herein provided. And such person shall indorse upon the permit the place and date of interment or other disposition, over his signature, and shall return all permits so indorsed to the person issuing the same within 10 days from the date of interment. He shall also keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and the name and address of the undertaker; which record shall at all times be open to official inspection: *Provided*, That the undertaker, or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial permit giving the place and date of burial or other disposition, and shall write across the face of the permit the words "No person in charge," and file such permit within 10 days with the person issuing the same.

SEC. 6. The undertaker, or person acting as undertaker, shall file a certificate of death, as required by the regulations of the State board of public welfare, with the health officer, or subregistrar, in the village, town, city, county, or district in which the death occurred, and obtain a burial or removal permit, prior to any disposition of the body. The undertaker, or person acting as such, shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body; or, when the body is shipped by any transportation company, he shall deliver said permit to the agent of such company, who shall deliver it to the passenger in charge of the body; or if the shipment is made by express, attach the permit to the waybill, which permit shall be delivered to the person taking charge of the body at its destination.

SEC. 7. No person shall disinter, nor shall any person in charge of any premises permit the disinterment of, any dead body without special permission from the health officer or subregistrar and a burial or removal permit as herein

required. And the health officer or other person issuing such burial or removal permit shall write across the face thereof the word "disinterred," with the date and place of disinterment.

SEC. 8. Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of the deceased, and date and place of death, which record shall at all times be open to official inspection by the State Director of Public Health, or his agents. On the first day of each month the person, firm, or corporation selling caskets shall report to the State director of public health each sale for the preceding month, on a form approved by said director: *Provided, however*, That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record; nor shall such report be required from undertakers when they have direct charge of the disposition of the dead body, and a certificate of death has been filed in accordance with the provisions of these regulations.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State director of public health, calling attention to the requirements of these regulations, and a blank certificate of death.

SEC. 9. No transportation company shall accept for shipment within the State of New Mexico any human body dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria, scarlet fever, glanders, anthrax, or leprosy, except under the following conditions: The body shall be thoroughly prepared by arterial and cavity injection with an approved disinfecting fluid; all orifices shall be disinfected and closed with absorbent cotton; the body shall be washed with the disinfecting fluid, enveloped in a layer of dry cotton not less than 1 inch thick, completely wrapped in a sheet securely fastened, and incased in a metallic casket, or in a casket the outside of which is of metal or metal lined, hermetically and permanently sealed; and all incased in a strong, tight wooden case.

SEC. 10. Bodies dead from any cause not stated in section 9 may be received by a transportation company for shipment within the State of New Mexico only when prepared by being embalmed and disinfected in accordance with the requirements of section 9 and inclosed in a coffin or casket incased in a strong, tight wooden or metal case.

SEC. 11. No transportation company shall accept for shipment from a point within the State of New Mexico any dead human body unless said body has been embalmed by an embalmer holding a valid license by authority of the New Mexico State Board of Embalmers.

SEC. 12. No transportation company shall accept for shipment from a point within the State of New Mexico any dead human body without documentary authority required by the State board of public welfare, which shall include a transit permit and a paster approved by the State director of public health.

The transit permit shall contain a physician's or coroner's certificate of death, giving the name and age of the deceased, and cause, date, and place of death and a removal permit, as herein required.

The paster shall contain an embalmer's certificate, which shall give the name of the deceased, cause of death, manner of preparation of the body, destination, and name and address of the consignee, together with the transit form to be filled out by the agent of the transportation company. Attached to the paster there shall be a second embalmer's certificate giving the name and age of the deceased, the cause, place, and date of death, the place from which the body was shipped, the destination, and the name of the transportation company, certifying that the body was embalmed by the person signing the certificate.

Every embalmer who prepares a body for shipment shall secure the physician's or coroner's certificate and the removal permit and fill out the embalmer's certificates, all in duplicate and completely filled out and signed. He shall then detach the original certificate attached to the paster, forward said original certificate immediately to the secretary of the State board of embalmers, and deliver the transit permit and paster (with the duplicate of the embalmer's certificate attached) to the agent of the transportation company accepting the body for shipment.

The agent of any transportation company within the State of New Mexico who receives a dead human body for shipment shall fill out and sign the transit form on the paster in duplicate. He shall then fasten the original paster securely on the top of the shipping case, above the head of the body contained therein, and deliver the original transit permit to the passenger accompanying the body, or if the shipment is made by express, attach said permit to the waybill. He shall then forward the duplicate paster and the transit permit to the secretary of the State board of embalmers. Said agent shall also complete the embalmer's certificate attached to the duplicate paster and forward said certificate to the general office of the transportation company.

SEC. 13. No disinterred body dead from any disease or cause shall be accepted by any transportation company for shipment without the same documentary authority as is required by section 12. The disinterment and transportation of bodies dead of diseases mentioned in section 9 shall not be allowed except by special permission of the health officer, both at the place of disinterment and the point of destination.

SEC. 14. All disinterred remains shall be inclosed in metal-lined boxes and be hermetically sealed: *Provided*, That bodies in receiving vaults, when prepared by a licensed embalmer, shall not be regarded as disinterred bodies until after the expiration of 30 days. All disinterred remains in receiving vaults shall be thoroughly disinfected and inclosed in metal-lined boxes, hermetically sealed.

Public Swimming Pools—Construction—Operation—Sanitary Requirements.
(Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. *Safety of pool water.*—Only water that is of a safe sanitary standard shall be retained in, or added to, the pool. The maximum permissible standard shall be a total bacterial count of 1,000 colonies per cubic centimeter on agar incubated at 37.5° C.; *B. coli* may be present in 10 cubic centimeter specimens, but not in 1 cubic centimeter specimens of the pool water in any part of the pool, examined within 48 hours after sampling. All tests are to be made in accordance with the latest standard methods of the American Public Health Association.

NOTE 1.—Tests will be made without charge at the laboratory of the bureau of public health. Swimming pool proprietors will be required to supply a special shipping case for sending samples to the laboratory. The shipping case shall be made in accordance with specifications provided by the bureau of public health.

NOTE 2.—The suggestion is offered that the requirements of this rule can be met by any of the following methods, and perhaps others, in the order of preference.

(a) Continuous addition of new water in amount to supply each bather with from 800 to 2,000 gallons for each use of the pool. The figure varies greatly with the concentration in the pool, class of patronage, care in enforcing showers, and general sanitary surroundings, and can not be established except by trial. Pools in which the entire pool is emptied nightly may meet this standard, but pools in which the water is held for a longer period can not meet it without disinfection, as discussed in (b) and (c). Under ordinary circumstances, where the water supply is purchased and heated, the dilution method is costly.

(b) *Recirculating method, whereby the contents of the pool is pumped from the pool, disinfected, and returned to the pool.*—The pump should have a capacity sufficient to pump out all of the pool contents in 6 to 10 hours. If liquid chlorine or equivalent be used, a dose of 2 to 5 pounds per million gallons is needed, basing the dose on the pump capacity and not on pool contents. The dose and circulating period vary with the clearness of the water, patronage, etc. It is important that this method be used at least throughout the bathing day.

(c) *Intermittent application of disinfecting solutions directly to the pool, morning or evening, or both.*—A solution of hypochlorite of lime (known also as bleaching powder or chloride of lime) may be used, or any solution containing the same active ingredient. In all cases fresh material having a strength, measured as available chlorine, sufficient to dose the pool with 2 to 5 pounds of available chlorine per million gallons is essential. Ordinary chloride of lime runs about 25 per cent available chlorine. With ordinary chloride of lime, 1.5 pounds of the dry powder per 100,000 gallons in the pool is a good average dose. Care must be taken to first work the material into a creamy paste and then dilute into a watery solution of at least 1 pound in 5 gallons of water and to strain out using cheesecloth or equivalent, all particles before using. It should be used immediately after preparation on account of deterioration. A good means of application is spraying or splashing over the whole surface of the pool.

(d) Copper sulphate is sometimes used, but it is a weak germicide. If used in sufficient quantity, it gives the pool a milky appearance. Its use is highly recommended for algæ control but not for disinfection.

SEC. 2. Clearness and cleanliness of pool water.—All the water in the pool shall be continuously clean, and clear enough so that bathers may be distinctly seen on the bottom of all parts of the pool. It shall be free from noticeable suspended or floating objects or particles, scum or sputum.

NOTE 1.—This requirement may be met by any of the following methods:

(a) Continuous inflow of new water. The management is expected to determine for itself what amount of new water is needed to meet the requirements.

(b) Fill and draw method. The pool should be drained and refilled as often as the requirements demand.

(c) Recirculation method, whereby the pool contents are pumped from the pool, filtered with or without the use of a coagulating chemical as needed, and returned to the pool. The pump should have a capacity to recirculate all the pool contents in 6 to 10 hours.

NOTE 2.—Filters should be designed on the basis of 2 gallons per square foot per min. capacity. Filter alum should be added prior to filtration. Filters may be of the pressure or open type. Coagulating basins of a holding capacity of one hour's flow are advised, ahead of the filters. The pump should be ahead of the filter, and rate-of-filtration controllers should be used. Alum solution tanks are preferable to the "alum pot." The amount of filter alum used will vary from $\frac{1}{2}$ to 4 grains per gallon.

NOTE 3.—Copper sulphate treatment is an important adjunct of this method especially in outdoor pools or pools exposed to much sunlight where algæ or moss grow. The [amount used varies with] the kind of organisms present, but ordinarily 0.5 pound per 100,000 gallons is sufficient. It is customary to apply this chemical direct to the pool by dragging it back and forth in narrow lanes about 5 feet apart and also around the edge, until dissolved. It should be used at the end of the day once or twice a week, as needed. It imparts a slight milkiness which, however, settles out in a few hours.

SEC. 3. Materials, surfaces, depths of pool, sidewalks.—The pool walls shall be vertical and walls, floors, and surrounding walks shall be surfaced with white tile, cement (white or gray), or other impervious material, with as smooth a surface as each

permits. Depth of pool opposite diving stands and spring boards shall be at least 8 feet 6 inches.

The entire pool shall be surrounded by a raised concrete curb at least 2 inches high by 12 inches wide, serving as a clean space on which bathers may sit and as a check against walk drainage flushing into the pool. Walks may slope toward or away from this curb to a grating-covered drain channel, or drain outlets in the walk. Walks shall be at least 4 feet wide in the clear. They shall slope at least one-half inch per foot toward the drains. All corners shall be rounded for ease in cleaning.

SEC. 4. Inlet and outlet.—An arrangement of inlets and outlets, giving the maximum uniformity of displacement of "used" by "incoming" water, and the maximum avoidance of short circuits or "dead" areas shall be used. Where a type of inlet consisting of a series of inlets scattered along one side of the pool not more than 10 feet apart, and outlets similarly scattered on the opposite side, is not used, it must be with the specific approval of the director of the bureau of public health.

NOTE.—The use of fountains and the omission of scattered outlets, using instead the scum gutter as an outlet, may, under certain cases of abundant water supply, be proper.

SEC. 5. Scum gutter.—A scum gutter on all four sides of the pool, recessed into the side wall and designed to prevent bathers from having easy access with fingers, hands, arms, feet or bodies, shall be provided. Drainage facilities from such gutters shall be of such size and spacing that all overflows and splash shall promptly be carried away into a sewer and not returned to the pool or circulating system. Gutters or drains along the top or side of the wall, open and accessible to bathers, shall not be permitted.

SEC. 6. Disposal of gutter drainage.—Gutter drainage, wash water from filter, and emptyings from the pool shall be considered as sewage water and shall be disposed of accordingly.

SEC. 7. Sand beaches, etc.—Spectators and persons not dressed for bathing shall not be allowed on the walks used by bathers, and bathers who leave the premises and return with suits or bodies soiled by sand, earth, or other objectionable contamination shall not be permitted to reenter the pool while in this condition.

NOTE.—The use of showers, employing a guard to insure the use of same, may be considered as a means of meeting this requirement.

SEC. 8. Dressing room, etc.—Plunge rooms, dressing rooms, shower rooms, toilet rooms, lavatories, hallways, etc., shall be commodious, well lighted, well ventilated, and clean. Floors for dressing rooms, toilet rooms, lavatories, and showers shall be of tile, concrete, or other impervious material, sloping at least one-half inch per foot to near-by grating-covered drain channels or floor drains, except that floors for dressing rooms may be of wood, provided it be treated to keep it impervious and clean.

SEC. 9. Showers.—There shall be at least one shower, provided with soap, for each 30 dressing rooms. Shower rooms shall be easily accessible from every dressing room.

NOTE.—The supplying of both hot and cold water to showers is commended but not required.

SEC. 10. Toilets.—There shall be at least 1 toilet room for each 30 women's or children's dressing rooms and at least 1 toilet room for each 50 men's dressing rooms. There shall also be urinal spaces to accommodate at least 5 per cent of the capacity of men's dressing rooms. Urinals shall be of a type which will prevent splash of urine upon the floor or feet of bathers, and floors opposite shall be free of any evidence of foulness. Toilets and urinal rooms shall be located

for ease in finding from every dressing room and from the pool, and shall be distinctly marked. Outdoor toilets shall be screened against flies and constructed according to good sanitary practice.

SEC. 11. *Sanitary drinking fountains.*—Where sanitary drinking fountains are provided they shall be of an approved type.

SEC. 12. *Life-saving equipment.*—Equipment shall be provided for the rescuing and reviving of drowning persons, including life buoys, life hooks, and rope.

SEC. 13. *Life guard.*—At least one attendant or life guard shall be on duty at pools to which admission is charged at all times when in use, who shall be familiar with the rescuing and reviving of persons apparently drowned.

SEC. 14. *Suits and towels.*—Bathing suits and towels shall be thoroughly cleaned and sterilized after each use.

NOTE.—Fast colors are advised for all new suits purchased, as this assists in preventing poisoning through breaks in the skin, prevents discoloration of pool water by dye, and facilitates disinfection.

SEC. 15. *General appearance.*—The general appearance of all the premises shall be one of cleanliness, airiness, and sanitation. All surface possible shall be painted with light-colored paint.

SEC. 16. *Daily record.*—The management shall keep on file a record of daily attendance and operations as prescribed in each individual instance, which shall be submitted to the director of the bureau of public health or his agent on demand.

SEC. 17. *Posting analysis, notices, etc.*—The management shall keep posted conspicuously in its office and in all dressing rooms such regulations governing the conduct of bathers as may be issued from time to time by the State board of public welfare, and shall enforce the same strictly.

It shall also keep posted conspicuously near its office or entrance to the pool a report of the latest bacteriological analyses of the water in the pool, as furnished by the State public health laboratory. False and misleading claims relating to any sanitary condition or feature about the pool or premises shall not be displayed.

Construction Camps—Sanitary Requirements. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

SECTION 1. For the purposes of these regulations, a construction camp is hereby defined to mean any camp or similar place of temporary abode, whether in tents, bunk houses, or on wheels, established for the housing and accommodation of working forces engaged in the construction, repair, or alteration of any railway property, irrigation or drainage works, roads or highways, dams or other structures, or engaged in preparing land for agricultural uses, or planting or harvesting crops, or engaged in logging or lumbering, or engaged in any other occupation or work which requires the maintenance of a labor force in temporary quarters: *Provided*, That camps which are occupied by less than six persons, or camps which are occupied not longer than 10 days, shall not be required to conform to these regulations, except that sections, 2, 15, and 16 hereof shall apply.

SEC. 2. All camps shall be so located and maintained as to be conducive to the health of their occupants, and not to endanger the health of the public nor to create a nuisance. All tents, houses, stables, mess halls, kitchens, and other structures therein shall at all times be kept in a reasonably clean and sanitary condition.

SEC. 3. Camps shall be located on high, well-drained ground, wherever possible. Any natural sink hole, pools, swamps or other surface collections of water within 200 yards of the periphery of the camp shall be either drained or filled in

to remove the quiescent surface water, and all such water not subject to drainage or filling-in shall have the entire surface thereof well oiled, with an oil of a specific gravity of not less than 26° B., at intervals not to exceed 12 days during the season of mosquito breeding.

SEC. 4. In the arrangement of the camp structures, the following rules shall be observed as nearly as the natural topography of the ground will permit:

The kitchen and mess hall shall be located as far as practicable from the latrines and stables.

The kitchen and mess hall shall be located at the opposite end of the camp from the stables.

SEC. 5. If the water supply is not derived from a source approved for drinking purposes by the State bureau of public health, the water shall be chlorinated by the addition of not less than 0.3 parts of chlorine per 1,000,000 parts of water, or by the addition of calcium hypochlorite, containing not less than 30 per cent by weight of available chlorine, in the proportion of not less than 15 pounds of calcium hypochlorite to each 1,000,000 gallons of water.

SEC. 6. All drinking water containers in camps shall be securely closed and covered; shall be kept in a clean condition and protected from contamination, and shall be so constructed and arranged that the water can be drawn only from a tap.

SEC. 7. All garbage, kitchen wastes, and other decomposable refuse shall be deposited in water-tight receptacles provided with a tight-fitting cover. The contents of such receptacles shall be removed from camp each day and burned, or buried in deep pits. If burned, sufficient fuel shall be added to completely consume the wastes; if buried in deep pits, sufficient dry earth shall be thrown over each day's deposit to completely cover it with at least 2 inches of earth.

SEC. 8. All stables shall be well cleaned daily and the manure removed daily from camp to a distance of not less than 100 yards and there burned, or well scattered and spread so as to dry rapidly and not to permit fly breeding therein.

SEC. 9. All rubbish and nondecomposable wastes shall be placed in receptacles therefor placed at convenient places in the camp, which receptacles shall be removed from camp when filled and the contents thereof burned or buried.

SEC. 10. In all camps where there are 50 or more men there shall be at least one or more employees who shall be employed for the purpose of caring for the cleanliness of the camp and whose duty it shall be to dispose in a proper manner of all wastes as required in sections 7, 8, 9, 11, and 13 of these regulations.

SEC. 11. Every camp shall have an adequate number of latrines and urinals, so constructed and maintained as to prevent access by flies to the contents thereof, to prevent fly breeding, and to prevent the pollution of water. The use of such latrines and urinals shall be obligatory on all persons while within the camp or its immediate vicinity. Latrines and urinals may consist of deep pits or trenches covered over with structures and seats so constructed as adequately to prevent access by flies to the contents of such pits or trenches.

Latrines or urinals shall not be located within 100 feet of any spring, stream, well, lake, or reservoir furnishing a public or private water supply for the use of human beings.

Latrines and urinals shall be kept at all times in a clean and inoffensive condition and in good repair.

SEC. 12. There shall be provided in all camps adequate facilities for washing the hands, faces, and bodies of the occupants thereof.

SEC. 13. All openings into kitchens, mess halls, and bunk houses shall be effectively screened with metal screen, of not less than 14 mesh, and such screens shall be maintained at all times in good condition, so as to prevent effectively the entrance of flies and mosquitoes.

SEC. 14. It shall be the duty of the foreman, superintendent, or other person in charge of the camp, and of the person or persons employed to maintain the cleanliness of the camp, to make regular weekly inspections of the occupants and premises in order to ascertain the presence of lice and other vermin. Persons found to be infested shall be required to bathe in kerosene emulsion, followed by soap and water bath of the entire body. Clothes infested shall be well boiled in water, or soaked in gasoline or kerosene three successive times at intervals of five days. Premises so infested shall be well fumigated with burning sulphur, cyanide gas, or treated with other effective insecticides.

SEC. 15. When any occupant of any camp becomes sick with a communicable disease, or what may be reasonably suspected to be a communicable disease, he shall be immediately isolated and the health officer within whose jurisdiction the camp is located shall be promptly notified.

SEC. 16. When any camp is to be abandoned or temporarily discontinued, all garbage, rubbish, and manure shall be collected and burned or buried, the latrine pits or trenches filled, and the grounds and premises left in a clean and sanitary condition.

SEC. 17. It shall be the duty of the foreman, superintendent, or other person in charge of a camp to see that these regulations are faithfully complied with. Such person shall post in a conspicuous place in the camp either a copy of these regulations, or a placard setting forth the substance of these regulations.

Public Camp or Picnic Grounds—Sanitary Requirements. (Reg. Bd. of Public Welfare, Nov. 20, 1922)

The following regulations shall apply to any municipal corporation, or county, or institution, association, person, firm, or corporation operating, maintaining, or offering for public use within the State of New Mexico any tract of land on which persons may camp or picnic either free of charge or by payment of a fee:

SECTION 1. If a public water supply is provided, it shall be safe and potable and shall be provided in ample quantity to meet all requirements of the maximum number of persons using such tract at any time. Said water supply shall be easily obtainable from its source, or from faucets on a pipe distributing system, or from approved sanitary containers, within a distance of not more than 200 feet from any camp or picnic spot within such tract.

SEC. 2. Any water considered unsafe for human consumption in the vicinity of such tract of land, to which campers or picnickers on said tract may have access, shall be either eliminated or purified, or shall be kept posted with placards definitely warning persons against its use.

SEC. 3. Fly-tight privies or water-flushed toilets shall be provided and shall be maintained in a clean and sanitary condition. Separate toilets for men and women shall be provided, at least 1 seat for each 50 men and at least 1 seat for each 50 women, or fraction thereof, of the maximum number of persons occupying such tract at any time. No camp or picnic spot within such tract shall be at a greater distance than 300 feet from both a men's and a women's toilet. The location of all toilets shall be plainly indicated by signs. It shall be the duty of all persons using the tract, while upon or in the immediate vicinity of such tract, to use such toilets, and such persons shall not otherwise defecate or urinate upon or within such tract.

SEC. 4. Equipment sufficient to prevent littering of the ground with rubbish, garbage, or other refuse shall be provided, maintained, and supervised. Fly-tight depositories for such materials shall be provided and conspicuously located. Each and every camp or picnic spot on said tract shall be within a distance of not over 200 feet of such a depository. These depositories shall not be permitted to become

foul smelling, or unsightly, or breeding places for flies. It shall be the duty of all persons using the tract to deposit all rubbish, garbage, and other refuse in such depository and in no other place or places.

SEC. 5. The method of final sewage or refuse disposal utilized in connection with the operation of any camp or picnic ground shall be such as to create no nuisance, and shall be such as to protect the public health.

SEC. 6. At least one caretaker shall be employed by the management to visit said tract every day that campers or picnickers occupy said tract. Such caretaker shall do whatever may be necessary to keep said tract and its equipment in a clean and sanitary condition.

SEC. 7. The management of every public camp or picnic ground shall assume responsibility for maintaining in good repair all sanitary appliances on said ground and shall promptly bring such action as is necessary to prosecute or eject from such ground any person who wilfully or maliciously damages such appliances or any person who in any way fails to comply with these regulations. In case the management shall fail, neglect, or refuse to bring action as required in this section, then it shall be the duty of the county health officer to bring such action, and also to bring action under section 9 hereof.

SEC. 8. Each and every owner and lessee of any public camp or picnic ground shall be held responsible for full compliance with these regulations.

SEC. 9. Failure on the part of the owner or management of any public camp or picnic ground to comply with these regulations shall be deemed cause for declaring the premises a nuisance and abating such nuisance in the manner provided by sections 21 and 22 of chapter 85, laws of 1919.

SEC. 10. These regulations shall be printed and kept posted in conspicuous places on every public camp or picnic ground by the management of such ground.

NEW YORK

Communicable Diseases—Designation—Submission of Specimens for Laboratory Examination—Preventive Treatment for Ophthalmia Neonatorum—Restrictions on Healthy Adults in Infected Household—Attendance at Schools and Gatherings—Minimum Periods of Isolation—Reports of Outbreaks or Unusual Prevalence of Diarrhea and Jaundice. (Reg. Dept. of H., Feb. 7 and Mar. 7, 1922)

[CHAPTER II.] REGULATION 1. *Communicable diseases designated.*—When used in the public health law and this code the terms infectious, contagious, or communicable disease shall be held to include the following diseases which are hereby declared to be communicable through the conveyance of infective organisms. The communicable diseases, for convenience of administration, are divided into two groups:

A:

Anthrax.
Botulism.
Chicken pox.
Cholera, Asiatic.
Diphtheria (membranous croup).
Dysentery, amebic and bacillary.
Encephalitis lethargica.
Epidemic cerebrospinal meningitis.
Epidemic influenza.
Epidemic or streptococcus (septic) sore throat.
German measles.
Glanders.
Malaria.
Measles.
Mumps.
Ophthalmia neonatorum (suppurative conjunctivitis of the newborn).
Paratyphoid fever.
Plague.

A—Continued.

Pneumonia.
 a. Acute lobar.
 b. Bronchial or lobular.
Poliomyelitis, acute anterior (in infantile paralysis).
Puerperal septicemia.
Rabies.
Scarlet fever.
Smallpox.
Tetanus.
Trachoma.
Tuberculosis.
Typhoid fever.
Typhus fever.
Vincent's angina.
Whooping cough.

B:

Syphilis.
Gonorrhea.
Chancroid.

REG. 2-a. *Submitting specimens for laboratory examination in cases of certain communicable diseases.*—It shall be the duty of every physician to submit promptly to the laboratory of the State department of health, or to a laboratory approved by the State commissioner of health for this purpose, such specimens for laboratory examination and such data relating thereto as may be prescribed in the special rules and regulations issued by the State commissioner of health from every person affected with or suspected of being affected with any one of the following communicable diseases:

Anthrax.
 Chaneroid.
 Cholera, Asiatic.
 Diphtheria.
 Epidemic cerebrospinal meningitis.
 Epidemic or streptococcus (septic) sore throat.
 Gonorrhea.

Malaria.
 Ophthalmia neonatorum.
 Paratyphoid fever.
 Plague.
 Syphilis.
 Tuberculosis.
 Typhoid fever.
 Vincent's angina.

REG. 10. *Precautions to be observed for the prevention of ophthalmia neonatorum.*—It shall be the duty of the attending physician, midwife, nurse, or other person in attendance on a confinement case to use at the time of the delivery prophylactic measures such as the instillation into both eyes of 1 per cent solution of nitrate of silver, or an equally efficient agent, to prevent ophthalmia neonatorum or the development of sore eyes in the infant due to infection at birth.

REG. 12. *Adults not to be quarantined in certain cases.*—When a person affected with a communicable disease other than smallpox is properly isolated on the premises, adult members of the family or household, who do not come in contact with the patient or his secretions or his excretions, may continue their usual vocations unless forbidden by the health officer, except as provided in regulations 37 and 39 of this chapter, and provided further that such vocations do not bring them in close contact with children.

REG. 28. *Exclusion from schools and gatherings of children of households where certain communicable diseases exist.*—Every child who is an inmate of a household in which there is, or has been within the incubation period thereof, a case of chickenpox, diphtheria, encephalitis lethargica, epidemic cerebrospinal meningitis, German measles, measles, mumps, poliomyelitis, acute anterior (infantile paralysis), scarlet fever, smallpox, or whooping cough, shall be excluded from every public, private, or Sunday school, and from every public or private gathering of children for such time and under such conditions not inconsistent with the provisions of this code or the special rules and regulations of the State department of health as may be prescribed by the local health authorities.

REG. 36. *Minimum period of isolation.*—For the purposes of this code, the minimum period of isolation is hereby declared to be as follows:

Chicken pox, until 12 days after the appearance of the eruption and until the crusts have fallen and the scars are completely healed.

Diphtheria (membranous croup), until two successive cultures taken from the nose and throat at intervals of not less than 24 hours, have been examined and found negative in a laboratory approved for this purpose by the State commissioner of health, the first of such cultures being taken not less than 9 days from the day of the onset of the disease; except that after 5 weeks from the date of taking the first release culture, the health officer in his discretion may declare the case to be a diphtheria carrier and subject to the special rules and regulations of the State department of health.

Epidemic cerebrospinal meningitis, until two weeks after the temperature has become normal or until three successive cultures, obtained from the nasopharynx at intervals of not less than five days, shall be found free of meningococci.

Measles, until at least five days after the appearance of the rash.

Mumps, until two weeks after the appearance of the disease and one week after the disappearance of the swelling.

Poliomyelitis, acute anterior (infantile paralysis), until three weeks from the day of the onset of the disease.

Scarlet fever, until 30 days after the development of the disease and until all discharges from the nose, ears and throat, or suppurating glands have ceased.

Smallpox, until 14 days after the development of the disease and until scabs have all separated and the scars completely healed.

Typhoid or paratyphoid fever, if the patient's occupation involves the handling of milk, dairy products, or other food, until all signs of the disease, or all secondary or complicating infections incited by the agents of these diseases have disappeared, and until two successive specimens of the intestinal discharges and urine of the patient have been taken at an interval of not less than seven days and have been examined in a laboratory approved for this purpose by the State commissioner of health and found to be free from typhoid or paratyphoid bacilli.

Whooping cough, until eight weeks after the development of the disease or until one week after the last characteristic cough.

REG. 41a. *Notification of outbreaks of diarrhea and jaundice.*—Whenever there shall occur in any municipality an outbreak or an unusual prevalence of diarrhea, gastroenteritis, enteritis, colitis, enterocolitis, cholera nostras, cholera infantum, or other disease in which diarrhea is a prominent symptom or whenever there shall occur an outbreak or an unusual prevalence of jaundice, it shall be the duty of the health officer to report immediately the existence of such an outbreak to the State department of health by telegraph or telephone. Local health officers shall exercise due diligence in discovering the occurrence of such outbreaks or the unusual prevalence of such diseases.

Mosquitoes—Extermination—Work by County Commissions. (Ch. 196, Act Mar. 23, 1922)

SECTION 1. Sections 411, 412, and 413 of article 21 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 408¹ of the laws of 1916, are hereby amended to read, respectively, as follows:

SEC. 411. *Publication of notice of entry, claims, damages, and payments.*—Before entering upon any such lands for such purposes as outlined under section 410 hereof, the commission shall publish each year, at least once during the year, immediately following the approval by the board of supervisors of its plans for work during the ensuing year as provided in this article, in at least one newspaper in every town of the county where work is to be performed and in which such a paper is published, a general description of the land with the names of the owners thereof as shown by the last assessment rolls, if known; if the name of the owner or owners be unknown, that fact must be stated and published; and in case of a town where work is to be performed by the commission and in which no newspaper is published, individual notices shall be first sent to every owner in such town upon whose land the commission proposes to enter for said purposes if the name of such owner be known; if unknown, such notice shall be posted in not less than five conspicuous places in such town. Any person objecting to or who is aggrieved or who claims damages due to the execution of the work of the commission, shall file a protest with the commission setting forth his grievance or claim. The commission shall thereupon and within 30 days after the filing of such protest or claim set a day for a public hearing thereof. In all such cases the decision of the commission as to the necessity of such work shall be final. Any damage claimed by any party on account of entry work of the commission upon his property shall be determined by an action in court to be tried in the county; and the amount of any damage that may be awarded such party shall be included in the next succeeding estimate of annual require-

¹ Reprint 406 from Public Health Reports, p. 171.

ments of the commission and shall be included in the annual tax levy as provided for in this article, and be paid by the commission.

SEC. 412. *Estimate of annual requirements; power and duty of State health commissioner.*—Every such county commission shall, on or before the first day of September in each year, file with the State commissioner of health and with the board of supervisors of such county a detailed estimate of the moneys required for the ensuing year and a plan of the work to be done and the methods to be employed, together with a general description of such lands with the names of the owners thereof, as recorded by the last assessment rolls if known; if unknown, that fact shall be stated, as the commission proposes to enter upon and to execute such plans and work.

SEC. 413. *Powers and duties of boards of supervisors.*—The board of supervisors shall have power to approve, modify, or alter such estimates, plans, and methods, and it shall be the duty of the board of supervisors in every county in which a commission is appointed at its annual or other meeting in the month of December of each year and on receipt of the said report from the county commission, to cause to be included in the annual tax levy of such county and added to the tax roll for the succeeding year the amount of money included in such estimate of moneys, as approved, modified, or altered by it for the use and purposes of the mosquito extermination commission in its said county: *Provided, however,* That in no one year shall the amount so raised exceed the amount hereinafter specified, to wit: In counties where the assessed valuations are not more than \$40,000,000 a sum not greater than 1 mill on every dollar of assessed valuation; in counties where the assessed valuations are in excess of \$40,000,000 a sum not greater than three-eighths of 1 mill on every dollar of assessed valuations.

Occupational Therapy Departments—Establishment, Maintenance, and Operation of, by Municipal Corporations in Connection with Public General Hospitals or Tuberculosis Hospitals—Validation of Prior Action Relative to. (Ch. 161, Act Mar. 22, 1922)

SECTION 1. Section 135-b of chapter 29 of the laws of 1909, entitled "An act in relation to municipal corporations, constituting chapter 24 of the consolidated laws," as added by chapter 420 of the laws of 1921, is hereby renumbered section 135-c, and such chapter is hereby amended by inserting therein a new section, to be section 135-b, to read as follows;

SEC. 135-b. *Departments of occupational therapy in connection with public general hospitals and tuberculosis hospitals or sanatoria.*—Any municipal corporation maintaining a public general hospital or a hospital or sanatorium for the treatment of tuberculosis under the provisions of any general or special law may establish, equip, and maintain, in connection therewith, a department of occupational therapy. For the purpose of this section occupational therapy is defined as any activity, mental or physical, prescribed, guided, or supervised for any patient for the purpose of contributing to and hastening his recovery from disease or injury. The appropriate municipal authorities may appropriate or provide funds for the establishment, equipment, and operation of such occupational therapy departments in the same manner as for the establishment, equipment, and operation of such public general hospitals, tuberculosis hospitals, or sanatoria. Such occupational therapy department shall be under the general superintendence, management, and control of the municipal authority, board of managers, or other agency having general superintendence, management, and control of the public general hospital, tuberculosis hospital, or sanatorium to which it may be attached.

The chief medical officer of such public general hospital, tuberculosis hospital, or sanatorium shall have authority to employ one or more occupational therapists to carry on the work of such department under his supervision. The qualifications of occupational therapists so employed shall be defined by the public-health council.

The chief medical officer of the institution may sell any article made or manufactured by any patient in his prescribed curative work carried on in such occupational therapy department to such patient upon payment by such patient to such chief medical officer of a sum not less than the cost of the material or materials from which such article was made or manufactured. Such chief medical officer may, in behalf of any patient, dispose of any article, made or manufactured by him, at public or private sale, and from moneys derived from the sale of such article he may pay to the patient such portion thereof that the residue shall at least equal the cost of the material or materials.

Except in the case of hospitals or sanatoria maintained by counties having a county purchasing agent, the municipal authority, board of managers, or other agency having general superintendence, management, and control of such public general hospital, tuberculosis hospital, or sanatorium, may place the moneys accruing to the occupational therapy department, from the two sources hereinabove mentioned, in a fund, to be known as "The occupational therapy fund." The moneys in such fund at any time shall not exceed the sum of \$500. All receipts in excess of such sum, or all receipts, if such fund be not established, shall be paid into the treasury of the municipal corporation operating such hospital or sanatorium. The chief medical officer of the institution may directly purchase with moneys from "The occupational therapy fund," if such a fund shall have been established, such materials, in addition to those provided for the operation of such occupational therapy department as hereinabove authorized, as are necessary to the proper functioning of such department.

The chief medical officer may, in his discretion and if he deems such course to be in the best interest of any patient, temporarily withhold any or all moneys earned by such patient and shall give such moneys to such patient upon discharge.

SEC. 2. All such occupational therapy departments heretofore established, all appointments of such occupational therapists heretofore made, all sales heretofore made of such articles made or manufactured by patients, all payments heretofore made to patients of moneys derived from the sale of articles manufactured by them in excess of the cost of the material or materials entering into their manufacture, all such "Occupational therapy funds" heretofore established, and all purchases heretofore made of materials and supplies used and to be used in the manufacture of such articles and paid for from moneys in such "Occupational therapy funds," are hereby ratified, confirmed, and legalized.

Public General Hospitals in Counties, Towns, Cities, or Villages—Provision May be Made in Certain Cases for the Care of Tuberculous Patients in. (Ch. 265, Act Mar. 25, 1922)

SECTION 1. Sections 126 to 135, both inclusive, of chapter 29 of the laws of 1909, entitled "An act relating to municipal corporations, constituting chapter 24 of the consolidated laws," such sections having been added by chapter 558 of the laws of 1910, are hereby amended to read, respectively, as follows:

SEC. 126. *Establishment of public general hospitals.*—The governing board of any county, town, city, or village may, by resolution, determine that there shall be in said county, town, city, or village a public general hospital for the care and treatment of the sick, and in any county not having a tuberculosis hospital established under sections 45 to 49-e, both inclusive, of the county law, said public general hospital may include a pavilion or other provision for the care of tuberculosis patients. * * *

Division of Maternity, Infancy, and Child Hygiene in the State Department of Health—Establishment, Purposes, Powers, and Duties—Officers and Employees—Appropriations. (Ch. 402, Act Apr. 1, 1922)

SECTION 1. Section 3-a of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 559 of the laws of 1913 and amended by chapter 510 of the laws of 1921, is hereby amended to read as follows:

SEC. 3-a. *Divisions.*—There shall be in the State department of health the following divisions, together with such other divisions as the commissioner may from time to time determine:

1. Division of administration.
2. Division of sanitation.
3. Division of laboratories and research.
4. Division of communicable diseases.
5. Division of vital statistics.
6. Division of publicity and education.
7. Division of maternity, infancy, and child hygiene.
8. Division of public health nursing.
9. Division of tuberculosis.

Each such division shall be under the management of a director appointed by the commissioner.

SEC. 2. Such chapter is hereby amended by inserting therein after article 2, a new article, to be article 2-a, to read as follows:

ARTICLE 2-A.—MATERNITY, INFANCY, AND CHILD HYGIENE

SEC. 18. *Division of maternity, infancy, and child hygiene.*—The objects and purposes of the division of maternity, infancy, and child hygiene, and of this article, shall be the safeguarding of motherhood, the saving of infant life, and the prevention of the diseases and defects of childhood.

SEC. 18-a. *Assistants and employees.*—The State commissioner of health, within the limits of appropriations made therefor, may employ, for the work of the division of maternity, infancy, and child hygiene, such qualified persons as may be necessary, including physicians, nurses, and other assistants. Within the amounts appropriated, he also may incur such other expenses as may be necessary for carrying out the provisions of this article.

SEC. 18-b. *General powers and duties of the division.*—The commissioner of health, through the division of maternity, infancy, and child hygiene, shall act in an advisory and supervisory capacity in matters pertaining to the objects and purposes of such division, and shall cooperate with and stimulate local agencies, public and private, in promoting such measures and undertakings as may be designed to accomplish the purposes of this article. The commissioner, through such division, shall cooperate with other State departments having jurisdiction over matters affecting the welfare of mothers and children, to the end that existing activities may be coordinated and duplication of effort avoided.

SEC. 18-c. *Specific functions of the division of maternity, infancy, and child hygiene.*—Among other powers and duties to be exercised by the commissioner of health through the division of maternity, infancy, and child hygiene shall be the following:

1. Making surveys and studies of local conditions influencing the health of mothers and children.
2. Advising localities as to providing adequate care of mothers and infants and children to whom such care is not otherwise available.
3. Holding health consultations for mothers and children in the rural districts in cooperation with local health officers and other physicians.

4. Instructing local public health nurses in the hygiene of maternity and infancy.

5. Making available to mothers through instruction by physicians, nurses, and publications information concerning the hygiene of maternity and infancy.

6. Supervision and training of midwives.

7. Prevention of blindness in infancy.

8. The care and rehabilitation of crippled children not otherwise provided for.

9. Public instruction by means of moving pictures, and lectures and other methods regarding preventable conditions affecting infant and maternity deaths.

SEC. 3. Such of the employees of the State department of health, in the division of child hygiene, as the commissioner may deem proper, shall be transferred to the division of maternity, infancy, and child hygiene created by article 2-a of the public health law as added by this act, and the persons so transferred shall receive their present salaries for the remainder of the fiscal year ending June 30, 1922. The unexpended balance of moneys appropriated by the legislature of 1921 for the department of health, available for maintenance, including personal service and other expenses, of the division of child hygiene, shall be available during the remainder of such fiscal year, for maintenance, including personal service and other expenses, of such division of maternity, infancy, and child hygiene.

SEC. 4. The sum of \$130,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, for carrying out the provisions of article 2-a of the public health law, as added by this act, including purchase of a healthmobile and motor car for transportation of nursing personnel and equipment of clinics. If new positions are created in the department of health, by virtue of the enactment of such article, the moneys hereby appropriated shall not be available for payments for personal service, except temporary service or day labor, until a schedule of positions and salaries shall have been submitted to and approved by the board of estimate and control and the certificate of such approval filed with the comptroller. Subject to the provisions of this section the moneys hereby appropriated shall be paid out by the State treasurer on the warrant of the comptroller on the certificate of the State commissioner of health.

Department of Public Health in Second and Third Class Cities—Establishment Authorized—Appointment, Qualifications, and Compensation of Commissioner of Health or Health Officer and Deputy Commissioner of Health—Employment and Compensation of Subordinates. (Ch. 197, Act Mar. 23, 1922)

SECTION 1. Section 1 of chapter 249 of the laws of 1921, entitled "An act to provide for a department of public health in and for second and third class cities," is hereby amended to read as follows:

SEC. 1. *Department of public health established.*—The common council or similar legislative body of each second and third class city which has not by special law established a department of health, is hereby authorized and empowered by ordinance to abolish its board of health and in its place to create, establish, and maintain a department of public health. The commissioner of health in second-class cities and the health officer in third-class cities shall be the head of such department. He shall be appointed in second-class cities by the mayor and in third-class cities by the same official or body who or which by charter is authorized to appoint the heads of city departments. He shall serve for a term of four years and shall not be removed by the official or body appointing him during the term for which he shall have been appointed other than for inefficiency, neglect of duty, or misconduct in office, upon written charges, after an opportunity of being publicly heard in his defense. A copy of such charges shall be

personally served upon such a commissioner of health in cities of the second class or health officer in cities of the third class and he shall be given not less than five days' notice of the time and place of the hearing. The salary of the commissioner of health, deputy commissioner of health, health officer, and all subordinates shall be fixed in second-class cities by the board of estimate and apportionment and in third-class cities by the board or body authorized by charter to fix salaries. No person shall be eligible to appointment as commissioner of health or health officer unless he shall be a physician and surgeon duly licensed to practice under the laws of this State and who has practiced as such or has been engaged in public-health work for at least five years, and who shall comply with the qualifications therefor prescribed by the public-health council provided for in the public health law: *Provided, however,* That a physician who has received the degree of doctor of public health in a course in any institution of learning recognized by the University of the State of New York shall be eligible for appointment as health officer. The commissioner of health may appoint and at pleasure remove a deputy commissioner of health who shall be a registered physician and surgeon duly licensed to practice under the laws of this State and who has practiced as such or has been engaged in public-health work for at least three years. The commissioner of health or health officer shall appoint such subordinates as shall be prescribed by the board of estimate and apportionment in second-class cities and by the body in third-class cities which is by charter authorized to designate the number of employees. Before entering upon the discharge of the duties of their respective offices the commissioner, deputy commissioner of health, and health officer shall each execute and file with the city clerk such official undertakings as the common council or similar legislative body shall prescribe.

Milk and Cream—Local Health Authorities May Adopt Regulations Relating to. (Reg. Dept. of H., Apr. 20, 1922)

[CH. III.] REG. 14. *Supplementary regulations by local authorities.*—The health authorities of any municipality may, in their discretion, increase the stringency of these regulations or add to them in any way not inconsistent with the provisions thereof, and may prohibit the sale, or the keeping for sale, within the municipality of any of the grades of milk herein defined. Any city of the first class may provide for additional grades of milk and cream subject to the approval of the public-health council.

Farms and Markets Law—Provisions of, Relating to Dairy Products, Domestic Animals, and Food as Affecting Public Health. (Ch. 48, Act Feb. 27, 1922, as Amended by Ch. 255, Act Mar. 25, 1922, and Chs. 364, 365, 368, and 378, Acts Mar. 30, 1922)

ARTICLE 4.—DAIRY PRODUCTS

SEC. 46. *Definitions.*—The term "milk" when used in this article means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving or such longer period as may be necessary to render the milk practically colostrum free.

The term "pure cream" or "unadulterated cream," when used singly or together, means cream taken from pure, unadulterated milk.

The term "milk and cream" when used means a mixture of milk and cream which contains at least 10 per cent of milk fat.

The term "adulterated milk" when used means:

1. Milk containing more than $88\frac{1}{2}$ per cent of water or fluids.
2. Milk containing less than $11\frac{1}{2}$ per cent of milk solids.
3. Milk containing less than 3 per cent of fats.
4. Milk drawn from cows within 15 days before and 5 days after parturition.
5. Milk drawn from animals fed on distillery waste or any substance in a state of fermentation or putrefaction, except ensilage, or on any unhealthy food.
6. Milk drawn from cows kept in a crowded or unhealthy condition, or milk produced or kept in insanitary surroundings or in any environment or under any condition whatever that is inimical to its healthfulness or wholesomeness.
7. Milk from which any part of the cream has been removed.
8. Milk which has been diluted with water or any other fluid, or to which has been added or into which has been introduced any foreign substance whatever.

All adulterated milk shall be deemed unclean, unhealthful, impure, or unwholesome.

The term "adulterated cream" when used means cream containing less than 18 per cent of milk fat or cream to which any substance whatsoever has been added.

The term "skimmed milk" when used means milk, as hereinbefore defined, from which part or all of the cream has been removed, but which is otherwise unadulterated, except in respect to an excess in the per cent of water or fluids or a deficiency in the per centum of milk fat or milk solids contained therein, provided the same shall contain at least $8\frac{1}{2}$ per centum of milk solids.

The term "butter" when used means the product of the dairy usually known by that term, which is manufactured exclusively from pure, unadulterated milk or cream, or both, with or without salt or coloring matter.

The term "cheese" when used means the product of the dairy, usually known by that term, which is manufactured exclusively from pure unadulterated milk or cream or both, with or without coloring matter, salt, rennet, sage, olives, pimentos, walnuts, peanuts, tomatoes, celery salt, or onions, added thereto as a flavor; provided that when manufactured by adding to the elemental product of the dairy usually known by the term "cheese," and manufactured exclusively from pure, unadulterated milk or cream, or both, any pimentos, olives, walnuts, peanuts, celery salt, tomatoes, or onions, the percentage of all such substances so added shall not exceed 25 per cent in bulk of the manufactured product.

The terms "oleomargarine" or "butterine" mean any oleaginous substance manufactured, sold, or exposed for sale as a substitute for, and to take the place of, butter and not made exclusively of pure or unadulterated milk or cream, or any article or substance into which any oil, lard, or fat not produced from milk or cream enters as a component part, or into which melted butter or butter in any condition or state or any oil thereof has been introduced to take the place of cream.

SEC. 47. *Care and feed of cows and care and keeping of milk.*—No person shall keep cows, for the production of milk for market or for sale or exchange, or for manufacturing the milk or cream from the same into any article of food, in a crowded or unhealthy condition or in unhealthful or unsanitary surroundings, and no person shall keep such cows or the product therefrom in such condition or surroundings or in such places as shall cause or tend to cause the produce from such cows to be in an unclean, unhealthful, or diseased condition, if the produce from such cows is to be sold, offered, or exposed for sale upon the markets for consumption or to be manufactured into any food product, nor shall such cows or the produce therefrom be handled or cared for by any person suffering with or affected by an infectious or contagious disease, nor shall any such cows be fed on any substance that is in a state of putrefaction or fermentation, or upon any food that is

unhealthful or that produces or may produce impure, unhealthful, diseased, or unwholesome milk. But this section shall not be construed to prohibit the feeding of ensilage.

No person having milk in his possession for the purpose of selling the same for consumption as such or for manufacturing the same into butter, cheese, evaporated or condensed milk, or other food shall keep the same in utensils, cans, vessels, rooms, or buildings that are unclean or have insanitary surroundings or drainage or in any condition whatsoever that would tend to produce or promote conditions favorable to unhealthfulness or disease. The commissioner shall notify all persons violating this section to clean said utensils, cans, vessels, rooms, or buildings, or to so improve the sanitary conditions that the foregoing provisions will not be violated; and if such notice is complied with within ten days no prosecution, civil or criminal, for a violation of this section shall be instituted.

SEC. 48. *Receptacles to be cleansed before returning; receptacles may be seized; evidence; violation.*—Whenever any can or receptacle is used for transporting or conveying milk, cream, or curd to market for the purpose of selling or furnishing the same for consumption as human food, or for manufacturing into human food, which can or receptacle, when emptied, is returned or intended to be returned to the person so selling, furnishing, or shipping such substance to be again thus used, or which is liable to continued use in so transporting, conveying, selling, or shipping such substance as aforesaid, the consumer, dealer, or consignee using, selling, or receiving the milk, cream, or curd from such can or receptacle shall, before so returning such can or receptacle, remove all substances foreign to milk therefrom by rinsing with water or otherwise. When any such milk, cream, or curd is sold within any city of this State or shipped into any such city, the fact of such shipment or sale shall be prima facie evidence that the same was so shipped or sold for consumption as human food or to be manufactured into human food. When any such can or receptacle is returned or delivered or shipped to any person or creamery so selling such substance within or shipping the same into such city, it shall be deemed that such can or receptacle is liable to such continued use in so selling or shipping such substance therein for consumption as human food within the meaning and purposes of this article. No person shall place or suffer to be placed in any such can or receptacle any sweepings, refuse, dirt, litter, garbage, filth, or any other animal or vegetable substance, nor shall any such consignee or other person through himself, his agent, or employee bring or deliver to any person or railroad or other conveyance any such can or receptacle for the purpose of such return, or any milk, cream, or curd can or receptacle for the purpose of delivery or shipment to any person or creamery engaged in so selling or shipping such substances for consumption as human food, which can or receptacle contains such foreign substance or which has not been rinsed as herein provided. The word "curd" as used in this article applies to the substance otherwise known as "pot cheese" or "cottage cheese." Whenever any such can or receptacle is used, returned, delivered, or shipped in violation of this article, every such use, return, delivery, or shipment of each such can or receptacle shall be deemed a separate violation thereof. Such cans or receptacles so used, returned, delivered, or shipped in violation of this article may be seized by the commissioner, his assistants, or agents and held as evidence of such violation.

SEC. 49. *Insanitary cans and receptacles condemned.*—All cans or receptacles used in the sale of milk, cream, or curd for consumption, or in transporting or shipping the same to market or the delivery thereof to purchasers for consumption, as human food, when found by the commissioner or his assistants or agents to be in unfit condition to be so used by reason of being worn out, badly rusted, or with rusted inside surface, or unclean or insanitary or in such condition that they can not be rendered clean and sanitary by washing, and will tend to pro-

duce or promote in milk, cream, or curd when contained therein bad flavors, unclean or unwholesome conditions favorable to unhealthfulness or disease, shall be condemned by the commissioner or his assistants or agents. Every such can or receptacle when so condemned shall be marked by a stamp, impression, or device, designed by the commissioner, showing that it has been so condemned, and when so condemned shall not thereafter be used by any person for the purpose of so selling, transporting, or shipping milk, cream, or curd.

SEC. 50. *Prohibiting the sale of adulterated milk, imitation milk, adulterated cream, imitation cream, and regulating the sale of milk and cream mixed and ice cream.*—No person shall sell or exchange or offer or expose for sale or exchange any unclean, impure, unhealthy, adulterated, or unwholesome milk or any cream from the same, or any unclean, impure, unhealthy, adulterated, colored, or unwholesome cream, or sell or exchange, or offer or expose for sale or exchange, any substance in imitation or semblance of cream, which is not cream, nor shall he sell or exchange, or offer or expose for sale or exchange, any such substance as and for cream, nor shall he sell or exchange, or offer or expose for sale or exchange, any substance in imitation or semblance of milk which is not milk, or sell or exchange, or offer or expose for sale or exchange, any article of food made from such milk or cream, or manufacture from any such milk or cream any article of food. No person shall sell or exchange or offer or expose for sale or exchange, any product as and for "milk and cream" containing anything except pure milk and cream mixed together and which does not contain at least 10 per cent of milk fat. No person shall sell or exchange or offer or expose for sale or exchange any product as and for "ice cream" which does not contain at least 8 per cent of milk fat and at least 18 per cent of milk fat and milk solids not fat combined, except that when the ingredients of ice cream shall include eggs, fruit, fruit juices cake confections, cocoa, chocolate, or nuts, such reduction in the percentages of milk fat and milk solids not fat as may be due to the addition of such ingredients shall be permitted or approved, provided the product shall contain at least $6\frac{1}{2}$ per cent of milk fat and at least 15 per cent of milk fat and milk solids combined. Any person delivering milk, cream, or "milk and cream" to any butter or cheese factory, condensary, milk gathering station, or railway station to be shipped to any city, town, or village shall be deemed to expose or offer the same for sale whether the said milk is delivered or consigned to himself or another. Each and every can thus delivered, shipped, or consigned, if it be not pure milk, must bear a label or card upon which shall be stated the constituents or ingredients of the contents of the can.

SEC. 51. *Inspection; how conducted.*—When the commissioner, an assistant commissioner, or any person or officer authorized by the commissioner to examine or inspect any milk, shall in discharge of his duties take samples of such product, he shall, before taking a sample, request the person delivering the milk, or who has charge of it at the time of inspection, to thoroughly stir or mix the said milk before the sample is taken. If the person so in charge refuses to stir or mix the milk as requested, then the person so requesting shall himself so stir and mix the milk before taking the sample, and the defendant shall thereafter be precluded from introducing evidence to show that the milk so taken was not a fair sample of the milk delivered, sold, offered, or exposed for sale by him. The person taking the sample of milk for analysis shall take duplicate samples thereof in the presence of at least one witness, and he shall in the presence of such witness seal both of such samples, and shall tender, and, if accepted, deliver at the time of taking one sample to the manufacturer or vendor of such product, or to the person having custody of the same, with a statement in writing of the cause of the taking of the sample. In taking samples of milk for analysis at a creamery, factory, platform, or other place where the same is delivered by the producer for

manufacture, sale, or shipment, or from a milk vendor who produces the milk which he sells, with a view of prosecuting the producer of such milk for delivering, selling, or offering for sale adulterated milk, the said commissioner or assistant or his agent or agents shall, within 10 days thereafter, with the consent of the said producer, take a sample in a like manner of the mixed milk of the herd of cows from which the milk first sampled was drawn and shall deliver the duplicate sample to the said producer and shall cause the sample taken by himself or his agent to be analyzed. If the sample of milk last taken by the commissioner or his agent or agents shall upon analysis prove to contain no higher percentage of milk solids or no higher percentage of fat than the sample taken at the creamery, factory, platform, or other place, then no action shall lie against the said producer for violation of subdivisions 1, 2, 3, 7, and 8 of section 46 of this chapter. In taking a second sample as above set forth from the mixed milk of the herd, it shall be the duty of the commissioner to have an assistant, agent, or agents present during the entire time in which the said cattle are being milked to observe closely so as to be sure that the milk thus to be sampled is not adulterated and to see that it is thoroughly mixed so that the sample taken shall be a fair sample of the average quality of the mixed milk of the entire dairy or herd of cows of said producer. If, however, the said producer refuses to allow such examination of the milk produced by his dairy, then he shall be precluded from offering any evidence whatever tending to show that the milk delivered by him at the said creamery, factory, platform, or other place was just as it came from the cow. If the said producer does permit such examination, the commissioner shall, upon receiving application therefor, send to said producer a copy of the analysis of each of the samples of milk so taken and analyzed as above provided. If a sample of milk shall have been taken by the commissioner or by his orders or directions from any dairy within this State and an analysis thereof has been made by the commissioner or by his authority, any person who is or was buying milk from the said dairy at or subsequent to the time of such taking may apply to the commissioner for a copy of the analysis of the said sample of milk so taken, and the commissioner shall thereafter furnish the said applicant with such copy.

SEC. 52. *Presumptions in regard to cream and skim milk.*—When cream is separated or skimmed from milk at any station or establishment where milk is received from producers for the purpose of selling the same or shipping the same to market for consumption as food, and the supply of milk on hand thereat at the time of the next regular daily shipment of milk therefrom, consisting of the total amount of milk in such shipment, together with that remaining on hand immediately after such shipment, is not thereby decreased or correspondingly less than the total quantity received during any period extending from some point of time before such skimming was done until the time of such shipment, together with the amount of milk on hand at the commencement of such period, and such decrease is not equal in amount to the quantity of milk that must have been used in so separating such cream in addition to the quantity otherwise there used or disposed of during such period, such fact is conclusive that skimmed milk or other foreign substance was added to such milk supply within such period and shall be presumptive evidence within the meaning of this section that the same was added to each can or vessel of milk in such shipment. When cream or skim milk is found to have been on the premises of any such station or establishment or is sold or shipped therefrom, such cream or skim milk so found or so sold or shipped therefrom shall be presumed to have been produced by separating or skimming at such station or establishment. In any action or proceeding relative to the adulteration of milk by removing cream therefrom or adding skim milk or other foreign substance thereto, it shall be presumed that when cream has

been produced by so skimming or separating or butter has been manufactured, there was made at least five quarts of milk in the production of each quart of cream so produced and there was necessarily so produced thereby at least four quarts of skim milk to each quart of cream so produced, and that there was used at least nine quarts of milk in the production of each pound of butter so manufactured.

[Section 53 repealed.]

SEC. 54. *Regulations in regard to manufactories, plants, or places where milk or cream is brought or received.*—No person shall sell, supply, or bring to any butter or cheese factory or to any plant or place which manufactures a food product from milk or which ships or sells milk for consumption any milk diluted with water, or any unclean, impure, unhealthy, adulterated, or unwholesome milk, or milk from which any of the cream has been taken, except pure skim milk to skim-cheese factories. No person shall sell, supply, or bring to be manufactured to any butter or cheese factory or to any plant or place which manufactures a food product from milk or which ships or sells milk for consumption any milk that is sour or from which has been kept back any part of the milk commonly known as strippings, except pure skim milk to skim-cheese factories. The owner or proprietor or the person having charge of any such manufactory, plant, or place where milk is received for any such purpose, not buying all the milk used by him, shall not use for his own benefit, or allow any of his employees or any other person to use for his own benefit, any milk, cream, butter or cheese or any other product thereof, brought to such factory, without the consent of the owners of such milk or the products thereof. Every such manufactory, plant, or place not buying all the milk used shall keep a correct account of all the milk or cream daily received, of the number of packages of butter and cheese made each day, and the number of packages and aggregate weight of cheese and butter disposed of each day; which account shall be open to inspection to any person who delivers milk to such manufactory, plant, or place. Every purchaser or receiver of milk from the producer thereof, for manufacturing purposes or for reselling the same, shall, on written request therefor, tender daily thereafter at time of delivery to such producer, or to the person delivering such milk to such purchaser in behalf of such producer, a written statement of the amount of milk so received or purchased until or unless such producer notifies such purchaser in writing that he no longer desires such statement; such statement shall give, first, the name of the producer or seller; second, the date of delivery; third, the amount so delivered; fourth, shall be signed by the purchaser or his duly authorized representative: such statement shall be given in the terms of the unit used as a basis for determining the value thereof. Such purchaser or receiver shall, at each periodical time of payment for such milk, give each such producer, so delivering milk, a statement showing the amount of milk delivered during the periodical time for which payment is made, and the average per centum of butter-fat test of same, provided payment is made on basis of butter-fat content.

Any person having charge of a milk gathering station or establishment as aforesaid shall keep a true and correct monthly record of the receipts of milk or other dairy products received at such station or establishment, and also a true and correct monthly record of all sales or shipments of milk, cream, or other dairy products shipped or sold from such station or establishment, and shall also keep a true and correct monthly record of the amount of skim milk produced in such station or establishment and of the disposition of said skim milk. Such record shall be preserved at such station or establishment for at least two years after the same shall have been made and such records shall at all times be open to the inspection of the commissioner, his assistants or agents. When cream is sold or shipped from any such station or establishment so selling or

shipping milk for consumption as aforesaid, each original bottle or package of one quart or less of cream so shipped or sold shall bear a label securely attached to the side of such bottle or package on which shall be conspicuously printed the word "cream" in black letters of at least one-fourth of an inch in length or else the word "cream" shall be blown in the side of such bottle in plain raised letters of at least one-half an inch in length, and the top and side of each and every other original package or can containing cream or original crate or case containing bottles of cream so shipped or sold shall bear a label securely attached on which shall be conspicuously printed the word "cream" in black letters of at least one inch in length and also a plainly written or printed statement on the label stating from whom and what station the same is shipped and the name of the consignee and point of destination and date on which the cream therein was produced by such separation or skimming. The shipment of each and every such original package of cream so shipped and not so labeled as herein required shall constitute a separate violation.

SEC. 55. *Skim milk, whey, buttermilk, or separator slop to be heated before used for feeding.*—Any person, firm, association, or corporation owning or operating any butter factory, cheese factory, or other milk plant shall, before returning, delivering, or giving to any person or persons any skimmed milk, whey, buttermilk, or separator slop, to be used for the feeding of domestic animals, cause such skimmed milk, whey, buttermilk, or separator slop to be uniformly heated to a temperature of not less than 150° F. and held at such temperature for at least 20 minutes. No skimmed milk, whey, buttermilk, or separator slop from such butter factory, cheese factory, or other milk plant shall be used for the feeding of domestic animals until heated as provided herein.

* * * * *

SEC. 57. *Licensing of persons in charge of milk-gathering stations and of persons making butterfat tests.*—Any person having charge of any milk-gathering station where milk is received from producers for the purpose of selling the same for consumption or shipping the same to market for consumption as food, before taking such charge or operating or working as such agent or person in charge, shall apply to the commissioner for a license to so work or operate or have charge, and shall at the time of making such application file with the commissioner a statement under oath setting forth the fact that he will not while having charge of or operating any such milk-gathering establishment or while employed therein adulterate or suffer or permit the adulteration of any such milk or any product thereof during the term for which he may be licensed. After the applicant shall have complied with the foregoing provisions of this section, the commissioner, upon being satisfied that the applicant is a person of good moral character and a qualified and proper person to so have charge of or operate any such milk-gathering station or establishment, shall issue to said applicant a license, which shall qualify him to have charge of any such milk-gathering station or establishment. The person regularly doing the work of receiving, caring for, and shipping the milk at any station or establishment, or in case more than one person is so employed, then the foreman in charge of such works, shall be deemed to be a person in charge of such station or establishment within the meaning and purposes of this section.

Any person testing milk or cream by the Babcock method where the result of such test is used as a basis for payment, or for official inspection, or for public record, shall first obtain from the commissioner a license to do such testing. Such license shall be granted upon satisfactory evidence of good moral character and the ability to make such tests based upon satisfactorily passing an examination set by the commissioner. Such examination shall be based upon method

for making the Babcock test as outlined by the New York State College of Agriculture and the commissioner.

Each license certificate issued under the provisions of this section shall be kept at the station or establishment where the licensee is employed or is engaged in testing milk or cream and shall be open to the inspection of the commissioner and the public.

Licenses under the provisions of this section shall be granted for one year and be renewable at the discretion of the commissioner without further examination of the licensee.

A license granted under the provisions of this section may be revoked by the commissioner, after hearing given upon notice to the licensee, upon evidence of dishonesty, incompetency, inaccuracy, or of a violation of any provision of this article.

SEC. 58. *Regulations in regard to evaporated or condensed milk.*—No evaporated or condensed milk shall be made or offered or exposed for sale or exchange unless manufactured from pure, clean, healthy, fresh, unadulterated, and wholesome milk from which the cream has not been removed either wholly or in part, except for the purpose of standardizing, in which case such standardized evaporated or condensed milk shall contain the proportionate quantity of solids and the proportionate amount of fats required in evaporated or condensed milk. Evaporated or condensed milk manufactured, sold, or exposed for sale or exchange in hermetically sealed cans shall contain milk solids in quantity not less than 25.5 per cent and not less than 7.8 per cent milk fat. Sweetened condensed milk manufactured, sold, or exposed for sale or exchange in hermetically sealed cans shall contain not less than 28 per cent milk solids and not less than 8 per cent milk fat. No person shall manufacture, sell, or offer for sale or exchange in hermetically sealed cans any evaporated or condensed milk unless put up in packages upon which shall be distinctly labeled or stamped the name of the person or corporation by whom made and the brand by which or under which it is made. When evaporated or condensed milk shall be sold from cans or packages not hermetically sealed, the producer shall brand or label the original cans or packages with the name of the manufacturer of the milk contained therein: *Provided, however,* That no unsweetened evaporated or condensed milk shall be sold or offered for sale in containers not hermetically sealed unless the proportion of milk solids shall be the equivalent of $11\frac{1}{2}$ per cent of milk solids in crude milk, and of which milk solids 25 per cent shall be fats.

SEC. 59. *Manufacture and sale of imitation butter prohibited.*—No person by himself, his agents or employees, shall produce or manufacture out of or from any animal fats or animal or vegetable oils not produced from unadulterated milk or cream from the same, oleomargarine in imitation or semblance of natural butter produced from pure, unadulterated milk or cream of the same; or mix, compound with, or add to milk, cream, or butter any acids or other deleterious substance or any animal fats or animal or vegetable oils not produced from milk or cream, so as to produce any article or substance or any human food in imitation or in semblance of natural butter, nor sell, keep for sale, or offer for sale any article, substance, or compound, made, manufactured, or produced in violation of the provisions of this section, whether such article, substance, or compound shall be made or produced in this State or elsewhere. Any person manufacturing, selling, offering, or exposing for sale any commodity or substance in imitation or semblance of butter, the product of the dairy, shall be deemed guilty of a violation of this chapter, whether he sells such commodity or substance as butter, oleomargarine, or under any other name or designation whatsoever and irrespective of any representations he may make relative to such commodity or substance. Any dealer in any article or product the manufacture or sale of which is prohibited by this

section who shall keep, store, or display such article or product with other merchandise or stock in his place of business shall be deemed to have the same in his possession for sale.

SEC. 60. *Manufacture or mixing of animal fats with milk, cream, or butter prohibited.*—No person shall manufacture, mix, or compound with or add to natural milk, cream, or butter any animal fats or animal or vegetable oils, nor make or manufacture any oleaginous substance not produced from milk or cream, with intent to sell the same as butter or cheese made from unadulterated milk or cream or have the same in his possession with such intent; nor shall any person soliciting or taking orders for the same or selling or offering any such compound so made or produced for sale represent the same to be butter or cheese, the product of the dairy. No person shall coat, powder, or color with annatto or any coloring matter whatever butterine or oleomargarine or any compound of the same or any product or manufacture made in whole or in part from animal fats or animal or vegetable oils not produced from unadulterated milk or cream by means of which such product, manufacture, or compound shall resemble butter or cheese, the product of the dairy; nor shall he have any such substance so made in his possession with intent to sell the same, nor shall he sell, offer, or expose the same for sale; any person who shall keep, store, or display any such article or product with other merchandise or stock in his place of business shall be deemed to have the same in his possession for sale. No person by himself, his agents or employees, shall manufacture, sell, offer, or expose for sale butter that is produced by taking original packing stock or other butter, or both, and melting the same, so that the butter fat can be drawn off, then mixing the said butter fat with skimmed milk or milk or cream or other milk product and rechurning the said mixture, or that is produced by any similar process and is commonly known as boiled or process butter, unless he shall plainly brand or mark the package or tub or wrapper in which the same is put up in a conspicuous place with the words "renovated butter" or "process butter." If the same shall be put up, sold, offered, or exposed for sale in prints or rolls, then the said prints or rolls shall be labeled plainly with printed letters in a conspicuous place on the wrapper with the words "renovated butter" or "process butter." If the same is packed in tubs or boxes or pails or other kind of a case or package, the words "renovated butter" or "process butter" shall be printed on the top and side of the same in letters at least 1 inch in length, so as to be plainly seen by the purchaser. If such butter is exposed for sale, uncovered, not in a package or case, a placard containing the label so printed shall be attached to the mass of butter in such manner as to easily be seen and read by the purchaser. Every person selling, offering, or exposing for sale at retail "renovated butter" or "process butter" shall cause each parcel or package of such butter delivered to or for a customer to be wrapped in a light-colored paper on which shall be printed in black letters, not less than three-eighths inch square and in gothic type, the words "renovated butter" or "process butter." No person shall sell, offer, or expose for sale any butter or other dairy product containing a poisonous, deleterious, or harmful preservative. No person, firm, association, or corporation shall induce or attempt to induce any person to violate any of the provisions of this chapter. Any person, firm, association, or corporation selling, offering, or advertising for sale any substance, preparation, or matter for use in violation of the provisions of this chapter shall be guilty of a violation of this section.

SEC. 61. *Prohibited articles not to be furnished for use.*—No keeper or proprietor of any bakery, hotel, boarding house, restaurant, saloon, lunch counter, or place of public entertainment, nor any person having charge thereof or employed thereat, nor any person furnishing board for any others than members of his own family, or for any employees where such board is furnished for a compensation

or as part of the compensation of any such employee, shall keep, use, or serve therein either as food for his guests, boarders, patrons, customers, or employees or for cooking purposes any article or substance made in violation of the provisions of this article. Any keeper or proprietor of any hotel, boarding house, restaurant, saloon, lunch counter, or place of public entertainment who uses or serves therein for his guests any oleaginous substance as a substitute for butter the manufacture or sale of which is not prohibited by this chapter shall print plainly and conspicuously on the bill of fare, if there is one, the words "Oleomargarine used here," and shall post up conspicuously in different parts of each room where such meals are served signs in places where they can be easily seen and read, which shall bear the words "Oleomargarine used here" in letters at least 2 inches in length and so printed as to be easily read by guests or boarders.

SEC. 62. *Coloring matter, dairy terms, size of package, labeling.*—No person, manufacturing with intent to sell, any substance or article to be used as a substitute for butter or cheese and which is not made exclusively from unadulterated milk or cream, or both, with or without salt or rennet, or both, but into which any animal intestinal or offal fats, or any oils or fats or oleaginous substance of any kind not produced from pure, unadulterated milk or cream, or into which melted butter, or butter in any condition or state or any modification of the same, or lard or tallow shall be introduced, shall add thereto or combine therewith any annatto or compounds of the same, or any other substance or substances whatever, for the purpose or with the effect of imparting thereto a color resembling yellow, or any shade of yellow butter or cheese, nor introduce any such coloring matter or other substance into any of the articles of which the same is composed. No person manufacturing, selling, or offering for sale any oleaginous substance not made from pure milk or cream from the same, designed to take the place of butter, and the sale of which is not prohibited by any of the provisions of this article, shall make or sell the same under any brand, device, or label bearing words indicative of cows or the product of the dairy or the names of breeds of cows or cattle, nor use terms indicative of processes in the dairy in making or preparing butter; no oleaginous substance not made from pure milk or cream from the same, designed to take the place of butter, and the sale of which is not prohibited by any of the provisions of this article shall hereafter be sold, offered or exposed for sale in this state except it be sold in packages containing not more than 5 pounds, such packages to be wrapped and plainly and conspicuously labeled with the word "Oleomargarine" in gothic or equally conspicuous letters at least one-quarter of an inch high. No device or brand shall be imprinted upon any brick or portion of the substance itself unless the word "Oleomargarine" is also indented thereon in letters equal in size to those used in expressing any brand or word used by the manufacturer. When no display is made except a device, the said word "Oleomargarine" shall be so indented in letters not less than one-fourth of an inch high, and in all cases the word "Oleomargarine" shall be equally displayed with any brand or word used by the manufacturer, in close proximity thereto, and on the same surface of such substance. The name and address of the manufacturer shall be plainly printed on the carton or wrapper inclosing the said goods.

SEC. 63. *Manufacture and sale of imitation cheese and sale of skim cheese.*—No person shall manufacture, deal in, sell, offer, or expose for sale or exchange any article or substance, in the semblance of or in imitation of cheese made exclusively of unadulterated milk or cream, or both, into which any animal, intestinal, or offal fats or oils, or melted butter or butter in any condition or state or modification of the same, or oleaginous substances of any kind not produced from unadulterated milk or cream, shall be introduced. The prohibitions in this ar-

ticle against the sale of cheese made from adulterated milk or cream shall not apply to pure skim cheese made from milk which is unadulterated except by skimming.

SEC. 64. *Regulations in regard to skimmed milk and products other than cheese manufactured therefrom.*—1. The prohibitions contained in this article against the sale of adulterated milk shall not apply to skimmed milk as defined in section 46, which is unadulterated, except by skimming, if it is sold for and as skimmed milk.

2. No person shall sell or exchange, or offer or expose for sale or exchange, any condensed or evaporated skimmed milk, except it be in containers or packages containing 10 pounds avoirdupois net weight or more, which containers or packages shall be distinctly labeled, branded, or marked in block letters not less than one-half inch in height, with the words "Condensed skimmed milk" or "Evaporated skimmed milk."

3. No person shall manufacture, sell, or exchange, offer or expose for sale or exchange, or have in his possession with the intent to sell or exchange, any condensed, evaporated, concentrated, powdered, dried, or desiccated milk, cream, or skimmed milk to which there has been added, or with which there has been mixed, blended, or compounded, any fats or oils, other than milk fat, so that the finished product shall be in imitation or semblance of condensed, evaporated, concentrated, powdered, dried, or desiccated milk.

SEC. 65. *Butterine, imitation cheese, and similar products not to be purchased by certain institutions.*—No money appropriated by law for maintenance and support in whole or in part of a State institution; nor money received by a charitable, benevolent, penal, or reformatory institution from the State, or from a county, city, or town thereof, or appropriated by such county, city, or town for the maintenance or support in whole or in part of such institution; nor money belonging to or used for the maintenance or support of such institution, shall be expended for the purchase of, or in payment for, butterine, oleomargarine, or articles or products in imitation or semblance of natural butter or cheese produced from pure unadulterated milk or cream from the same, which articles or products have been rendered or manufactured in whole or in part from animal fats or animal or vegetable oils not produced from unadulterated milk or cream from the same; nor shall any such money be expended for any condensed milk from which the butterfat has been removed and a vegetable or other oil has been substituted therefor.

SEC. 66. *Purchase, sale, and use of butterine and similar products prohibited in certain institutions.*—No officer, manager, superintendent, or agent of an institution mentioned in the last section shall purchase for the use of such institution articles or products for the purchase of which the money appropriated by law or by a county, city, or town is forbidden to be used by said section, and no person shall sell to or for the use of such institution such articles or products. Nor shall such articles or products be used as articles of food or for cooking purposes in such institutions within the State.

SEC. 67. *Manufacturer's brand of cheese.*—Every manufacturer of whole-milk cheese may put a brand or label upon such cheese indicating "whole-milk cheese" and the date of the month and year when made; and no person shall use such a brand or label upon any cheese made from milk from which any of the cream has been taken. The commissioner shall procure and issue to the cheese manufacturers of the State, on proper application therefor, and under such regulations as to the custody and use thereof as he may prescribe, a uniform stencil brand or labels bearing a suitable device or motto and the words, "New York State whole-milk cheese." Every such brand or label shall be used upon the outside of the

cheese and shall bear a different number for each separate factory. The commissioner shall keep a book, in which shall be registered the name, location, and number of each manufactory using the brands or labels and the name or names of the persons at each manufactory authorized to use the same. No such brand or labels shall be used upon any other than whole-milk cheese or packages containing the same.

SEC. 68. *Use of false brand prohibited; branding of skim-milk cheese regulated.*—No person shall offer, sell, or expose for sale, in any package, butter or cheese which is falsely branded or labeled. No person shall sell, offer, or expose for sale cheese commonly known as cheddar cheese or stirred curd cheese made from skimmed or partially skimmed milk unless the same is branded to show that it is skim-milk cheese. All such cheese so sold, offered, or exposed for sale shall be branded with the words "skim-milk cheese" or if such cheese contains 13 per cent of milk fat or over, it may be branded "medium skim-milk cheese" or if it contains 18 per centum of milk fat or over, it may be branded "special skim-milk cheese." Cheese known as cheddar cheese, cheddar style cheese, stirred curd cheese, twin cheese, flats, daisies, daisy twins, longhorns, and young americas containing more than 40 per cent of moisture shall when sold, offered, or exposed for sale be branded or marked conspicuously with the words "cheddar cheese excess moisture."

Cheese known as "washed curb cheese" shall not be manufactured, sold, offered, or exposed for sale upon the markets of this State unless it is branded or marked conspicuously with the words "washed curb cheese." Any such cheese containing more than 42 per cent of moisture shall be branded or marked conspicuously with the words "Washed curb cheese excess moisture." The branding herein provided shall be upon the sides of both the cheese and the container and shall be in block letters at least one-half an inch square.

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ARTICLE 5.—DISEASES OF DOMESTIC ANIMALS; CALVES AND VEAL; PURE-BRED STOCK; CERTIFICATES OF REGISTRY

SEC. 72. *Control and suppression of disease.*—The commissioner may cause investigations to be made as to the best method for the control, suppression, or eradication of infectious or communicable disease affecting domestic animals. Whenever any infectious or communicable disease affecting domestic animals shall exist or shall have recently existed outside this State, the commissioner shall take measures to prevent such disease from being brought into the State. Whenever any such disease shall exist or be brought into or break out in this State, the commissioner shall take measures promptly to suppress the same and to prevent such disease from spreading. He may issue and publish a notice stating that a specified infectious or communicable disease exists, may exist, or has recently existed in the State, or in any designated county or other geographical district thereof, and warning all persons to seclude, in the premises where they may be at the time, all animals within this State, or within such county or district, or an adjoining county or district, that are of a kind susceptible to contract such disease; and ordering all persons to take such precautions against the spreading of the disease as the nature thereof may, in his judgment, render necessary or expedient and which he may specify in such notice. Such notice shall be published in such manner as the commissioner may designate. The commissioner may cause such notice to be posted on public service poles other than those carrying wires transmitting electricity for light or power or on fences on the highway or on buildings abutting upon the highways: *Provided, If such fences or buildings*

be personally owned, the owners thereof consent to such posting. No person shall tear down, mutilate, deface, or destroy any such notice or order issued by the commissioner and posted, as provided herein, during the pendency of such notice or order. The commissioner may alter or modify, from time to time, as he may deem expedient, the terms of any notice or order issued or made pursuant to this article and may at any time cancel or withdraw the same. The commissioner may, in behalf of the State, accept, in whole or in part, rules and regulations adopted by the Secretary of Agriculture of the United States under any act of Congress providing for the control, suppression, or eradication of communicable diseases in domestic animals, and he may cooperate with the authorities of the United States Government within this State in the carrying out of such rules and regulations and the enforcement of the provisions of any such act so passed which are not in conflict with the statutes of this State.

Sec. 73. Report of disease.—Every person shall immediately report to the commissioner the existence among animals of any infectious or communicable disease coming to his knowledge. Every report shall be in writing and shall include a description of the diseased animal or animals, the location thereof, the name of the disease suspected, and, if known, the name and address of the owner or person in charge of such animal or animals.

Sec. 74. Regulations relating to importation.—The following regulations shall apply to the importation of domestic animals:

1. No person shall knowingly bring into this State any domestic animal which has an infectious or communicable disease, except in the case of purebred registered bovine animals which have been removed from this State and have reacted to the tuberculin or other recognized test subsequent to such removal, may be returned to this State upon written permission from the commissioner subject to such rules as he may prescribe in relation thereto.

2. Any person bringing into this State domestic animals for any purpose other than immediate slaughter without taking precaution to ascertain whether such animals have an infectious or communicable disease shall be presumed to have brought them in knowingly in violation of this section, if they are found to have such disease.

3. Animals received from outside the State under the supervision of the United States Department of Agriculture or the department of farms and markets of the State of New York, or for which a permit or certificate shall have been issued by either of such departments, shall be deemed to have been handled with due precaution.

4. Any person importing or bringing into this State neat cattle for dairy or breeding purposes shall report immediately upon bringing such cattle into the State to the department, in writing, stating the number of cattle thus brought in, the places where they were procured, the lines over which they were brought, their destination within the State, and when they will arrive thereat; and if there be filed with the department at the time of filing such report or within 10 days thereafter, a certificate by a duly authorized veterinary practitioner approved by the authorities of the State in which he resides or by an authorized veterinary inspector of the United States Bureau of Animal Industry to the effect that he has duly examined such animals and that they are free from any infectious or communicable disease, the commissioner may issue a permit to such person to remove such cattle immediately. Otherwise such person shall detain such animals at the point of destination for at least 20 days for inspection or examination by the commissioner or his duly authorized agent. The provisions of this subdivision relating to advance reports to the department shall not apply to cattle imported into this State at a point where there is federal inspection.

5. Persons bringing into this State or receiving domestic animals from without the State shall give such other information to the department as it may from time to time request relating to such animals.

6. The commissioner may order all or any animals coming into the State to be detained at any place or places for inspection and examination, and if any of them after due examination be found affected with any infectious or communicable disease, such animals shall be condemned and slaughtered or held in strict quarantine.

7. Each animal brought into the State in violation of any of the provisions of this article shall constitute a separate and distinct violation.

8. Nothing contained in this section shall be construed to prevent or make unlawful the transportation of domestic animals through this State on railroads or boats.

SEC. 75. *Sanitary regulations.*—The commissioner may adopt and enforce rules regulating the sanitation of stables or other buildings used for the housing of domestic animals for the purpose of preventing the spread of infection and contagion among such animals and may provide for the inspection and examination of such stables and buildings. The commissioner may adopt and enforce rules concerning the equipment for and the method of the sanitary production of milk and may provide for the examination and scoring of dairies in accordance with such rules. He may also prescribe such rules as may be necessary for disinfecting and cleaning premises, buildings, railway cars, boats, and other objects from or by means of which infection or contagion of animals may be spread or conveyed.

SEC. 76. *Quarantine on animals or premises.*—The commissioner may order any animal or animals affected with communicable disease, or which have been exposed to a communicable disease, or which he believes to be suffering from or exposed to a dangerous communicable disease, to be put in quarantine and may order any premises or farm where such disease exists or shall have recently existed to be put in quarantine, so that no domestic animal be removed from or brought to the premises quarantined; and shall prescribe such regulations affecting animals, persons, or property as he may deem necessary or expedient to prevent the dissemination of the disease from the premises so quarantined.

SEC. 77. *Examination by veterinarian prerequisite to destruction of animal.*—No animal shall be destroyed by the commissioner or by his order unless first examined by a veterinarian in the employ of the department or whose work is approved by the commissioner, nor until such veterinarian renders a certificate to the commissioner to the effect that he has made such examination, that, in his judgment, such animal is infected with a specified infectious or communicable disease, or that its destruction is necessary in order to prevent or suppress, or to aid in preventing or suppressing such disease.

SEC. 78. *Examination of cattle.*—The commissioner may cause a physical examination to be made by competent veterinarians of dairy cows whose milk is marketed in liquid form or manufactured into butter, cheese, or other food for human consumption. Such physical examinations may be made as frequently as available funds appropriated will permit and as the conditions necessitate. An examination made by any qualified and approved examiner may be accepted by the commissioner. If, from such examination, an animal be deemed by the commissioner to be infected with tuberculosis or any infectious or communicable disease, or its condition be such as to render it undesirable for the production of milk or a menace to the health of other animals or persons, such animal shall be immediately removed from the herd, slaughtered or disposed of as the commissioner may prescribe.

SEC. 79. *Examination at request of owner; segregation; grading of herds.*—The owner of a herd of cattle kept for dairy or breeding purposes within the State may apply to the commissioner for examination of his herd by the tuberculin or other approved tests, subject to the following regulations:

1. The application therefor shall be upon a blank form provided by the commissioner and shall include an agreement on the part of the owner of the herd to improve faulty sanitary conditions, to disinfect his premises if diseased cattle be found, and to follow directions of the commissioner designed to prevent the reinfection of the herd and to suppress the disease and prevent the spread thereof.

2. The commissioner shall cause such cattle to be examined accordingly, subject to the provisions of this article, and if any animal responds to such test, he may cause it to be slaughtered or held in strict quarantine.

3. If after examination an animal be found to be suffering from tuberculosis, such animal shall be slaughtered under the provisions of this article, or the commissioner may enter into a written agreement with the owner for keeping such animal in segregation, or the commissioner may, if the condition of such animal warrants it, consign such animal to any one of the experiment stations or farms owned or controlled by the State, or by any county of the State, or to the farms of such public institutions in the State as the commissioner shall approve, or to hospitals, sanitariums, or other institutions existing in whole or in part for the purpose of suppressing tuberculosis, there to be kept and used for breeding, dairy, or experimental purposes under regulations to be prescribed by the commissioner.

4. Subject to the rules of the commissioner, an animal found to be diseased after such examination may continue to be used for breeding purposes, but the milk from such animal shall not be used for any purpose until pasteurized at such temperature and for such period as the commissioner may prescribe.

5. The young of any such diseased animal shall immediately be separated from its mother and shall not be permitted to receive or be fed the milk from such affected animal until such milk has been pasteurized as provided in subdivision 4 of this section.

6. The commissioner may make rules for classifying herds tested under this section, and for the purpose of giving recognition to herds which are in a healthy condition, he is hereby authorized to issue such certification as he may deem proper in relation to such herds.

SEC. 80. *Certificate to healthy herds.*—For the purpose of giving recognition to other than segregated herds which are certified to him, after competent examination satisfactory to him, to be in a healthy condition, the commissioner is hereby authorized to issue such certificates as he may deem proper to the owner of such herd; to use such terms to designate such herds as will harmonize with Federal designations of such herds, and to adopt such rules as he may deem proper for the tagging, branding, or marking of any animal or animals affected or believed to be affected with any communicable disease, or exposed thereto. In the event that such animals are branded, it shall not be construed as cruelty to animals within the meaning of the penal law.

SEC. 81. *Sale of animals affected with tuberculosis.*—No animal showing physical evidence of tuberculosis, or in which such disease shall have been indicated as a result of the tuberculin, or other approved test, shall be sold other than for immediate slaughter under the supervision of a veterinarian approved by the commissioner, except under a written contract approved by the commissioner, signed by both parties, describing the animal and stating that it is believed to be tuberculous. No such animal shall be removed, except for immediate slaughter under the supervision of a veterinarian approved by the commissioner, from the premises where examined except upon the written permission of the commis-

sioner. A contract of sale as provided by this section shall be executed in triplicate and one copy thereof delivered to the purchaser, one kept by the seller, and the other delivered to the commissioner.

SEC. 82. *Appraisers.*—The commissioner may employ from time to time appraisers of condemned animals. The chief or any assistant veterinarian shall have all the powers of any appraiser of condemned animals under this article.

SEC. 83. *Appraisal of diseased animals.*—Each animal directed to be slaughtered or taken over by the State to be kept segregated shall be appraised at the market value of such animal at the time of making the appraisal. If the value of a condemned animal as determined by the appraiser is not satisfactory to the owner, its value shall be determined by arbitrators, one of whom shall be appointed by the State appraiser and one by the owner. If they are unable to agree, a third arbitrator shall be appointed by them. The value determined by such arbitrators shall after approval by the commissioner be final. The arbitrator selected by the owner shall be paid by him. If a third arbitrator be chosen, he shall be paid by the State not more than \$5 per day and necessary expenses. Appraisers of condemned animals and arbitrators appointed under this article may administer oaths and examine witnesses for the purpose of determining the value of animals to be appraised under this article.

SEC. 84. *Certificate of appraisal.*—The appraiser shall execute and deliver to the owner of a condemned animal or his legal representative a certificate stating the value thereof. If such value was determined by arbitrators, there shall be attached to such certificate a statement of the value so determined signed by at least two of the arbitrators. The form of such certificate shall be prescribed by the commissioner.

SEC. 85. *Destruction of animals; disposition of carcasses.*—The commissioner may prescribe rules for the destruction of animals affected with infectious or communicable disease, and for the proper disposal of their hides and carcasses and all objects which might carry infection or contagion. Whenever in his judgment necessary for the more speedy and economical suppression or prevention of the spread of any such disease he may cause to be slaughtered and afterward disposed of, in such manner as he may deem expedient, any animal or animals which by contact or association with diseased animals or other exposure to infection or contagion may be considered or suspected to be liable to contract or communicate the disease sought to be suppressed or prevented, the commissioner may seize and cause to be destroyed a carcass or any portion thereof affected with any communicable disease.

SEC. 86. *Post-mortem examination of animals.*—The carcass of every animal duly condemned and killed under the provisions of this article shall be examined by a veterinarian or physician designated by the commissioner for the purpose of determining whether or not disease existed in such animal. Such post-mortem examination shall be under rules prescribed by the commissioner and the report thereof shall show conditions found upon such examination duly verified by the person making such examination. Such report shall be filed with the commissioner and a copy thereof shall be sent or delivered to the owner or person in charge of the animals so examined.

SEC. 87. *Payments for animals killed.*—The commissioner shall issue his order for the amount due, as shown by certificate and statements on file in his office after he has found them to be correct, which amount shall be paid by the State treasurer on the warrant of the comptroller out of moneys appropriated therefor. The owner of animals condemned, taken over by the State or slaughtered as provided for herein shall also be entitled to and shall be paid interest on the amount due as shown by said certificate as herein provided for, after 30 days from the time such animals are ordered so taken or slaughtered by the commissioner.

Sec. 88. *Compensation of owners of animals killed or appropriated by the State.*—The following provisions shall govern the payment of indemnity to owners of animals killed or appropriated by the State under the provisions of this article:

1. The value of an animal shall be taken to be the appraised value thereof, except that for the purposes of subdivisions 2, 3, 4, and 5 of this section such value shall in no case exceed the sum of \$125 for a registered purebred bovine animal or for a purebred bovine animal eligible to registry for which application has been duly and properly made for registration prior to the appraisal, and for any other bovine animal shall not exceed the sum of \$75, nor shall it exceed \$125 for any equine animal.

2. If upon post-mortem examination an animal is found not to have the disease for which killed or any dangerously infectious or communicable disease, the owner shall be allowed the value of such animal at the time of killing, unless such animal was killed on account of violation of quarantine regulations, as provided in this article.

3. If an equine animal be found upon post-mortem examination to have been suffering from glanders not manifest by physical symptoms, the owner thereof shall be paid therefor 90 per cent of its value. If the animal has glanders showing physical symptoms the owner thereof shall be paid therefor 25 per cent of its value.

4. If a bovine animal be found upon post-mortem examination to have been suffering from tuberculosis, or if such animal be taken over by the State as provided by this article, the owner thereof shall be paid 90 per cent of its value.

5. No animal killed or taken under the provisions of this article shall be paid for as herein provided unless, if a bovine, it shall have been within the State of New York for at least six months, and if an equine for at least 12 months.

6. The commissioner is hereby authorized to make rules in reference to the official inspection of the carcasses of animals so killed and to provide for the suitable marking or branding of carcasses passed or condemned. The commissioner may make such rules as he deems necessary or expedient for the proper disposal of carcasses or parts thereof. The carcass and all parts of the animal, or the net proceeds of the sale thereof, shall be and remain the property of the owner of the slaughtered animal in addition to the indemnity provided herein: *Provided, however,* That the total amount received by the owner of the animal from the proceeds of the sale and the indemnity by the State shall not exceed the appraised value of the animal. If the proceeds of such sale and such indemnity do exceed the appraised value of the animal, then the indemnity paid by the State shall only equal the difference between such proceeds and the appraised value of such animal.

7. No indemnity shall be paid to any person who shall have willfully concealed the existence of disease among his animals or upon his premises, or who in any way by act or by willful neglect has contributed to spread the disease sought to be suppressed or prevented, or who shall have willfully neglected to take necessary precaution or obey instructions given him by the commissioner or neglected to assist in the control or eradication of any infectious or communicable disease among his animals.

8. Except as herein provided, no indemnity shall be paid for any animal which upon post-mortem examination is found to have the disease on account of which it was killed, or any dangerously infectious or communicable disease that would warrant the destruction of such animal.

9. If the disease known as apthous fever be found to exist within this State and the commissioner deems it necessary to properly control, suppress, or eradicate such disease, to order the slaughter of domestic animals, or the destruction of other property or both, the owner of animals so slaughtered or property so

destroyed shall receive indemnity in the manner following: The amount to be paid for each bovine animal so destroyed shall be fixed in the same manner as provided for in this section, but shall not exceed the sum of \$200 for any one bovine animal so taken. The value of animals so destroyed and the amount due owners as provided herein, less the amounts paid or to be paid by the Federal Government, shall be paid upon the audit and warrant of the comptroller to owners entitled thereto in the same manner as provided in the last preceding section.

SEC. 89. *Disposition and use of tuberculin and mallein.*—The commissioner is hereby authorized to make such rules and promulgate such orders for the proper control, use, or distribution of tuberculin or mallein as he may deem necessary. The following general provisions shall govern the disposition and use of tuberculin and mallein within the State:

1. All tuberculin or mallein sold, given away, or used shall bear a label stating the name and address of the manufacturer, the degree of strength and dosage recommended, and the date of its preparation.

2. All tuberculin or mallein sold or given away for use, in testing bovine or equine animals shall be reported, in writing, to the commissioner within one week after such sale or gift is made. Such report shall be signed by the person making the gift or sale and shall state the name and address of the person to whom such tuberculin or mallein has been sold or given, and the amount supplied.

3. Any person, firm, corporation, or institution bringing or causing tuberculin or mallein or a biological product containing living pathogenic organisms to be brought into the State to be used therein in the treatment of or administration to domestic animals shall, within one week thereafter, make a report thereof to the commissioner stating the manufacturer thereof, the quantity so brought in, and giving such other information in relation thereto as the commissioner may request.

4. The commissioner shall print, in appropriate form, blanks for making and keeping records of such tests and other necessary data for the purposes of this article.

5. Any person using tuberculin or mallein in testing animals shall keep a correct record thereof, and, if requested by the commissioner, any person, firm, or corporation making such tests shall within one week thereafter report to the commissioner giving a detailed account of the tests thus made, including the description of animals, the location of the farm or farms upon which tests were made, and the name and address of the owner or custodian. If the commissioner desires to cause a physical examination to be made of any animal so tested, or a bacteriological examination of its milk to be made, the owner or custodian of any such animal that has reacted shall indicate to the commissioner, or to the person designated by him, any animal that shall have been subjected to any such test and give such information as the commissioner may direct with reference thereto, or of previous tests of such animal and such other information relating thereto as the commissioner may require.

6. If such tests be made by a nonresident of the State, the owner or custodian of the animals thus tested shall make such report to the commissioner as he may require.

7. No person shall knowingly inject into any bovine or equine animal as or for tuberculin or mallein any substance which is not tuberculin or mallein.

8. No person shall treat, except by consent of the commissioner for experimental purposes, any bovine or equine animal with any material or substance, or in any manner, for the purpose or with the effect of preventing a normal reaction on the part of such animal to the tuberculin or mallein test.

9. No person shall give a certificate or statement showing or tending to show that an animal has been tested or examined and found not affected with tuberculosis or glanders or other communicable disease unless the character of such test or examination is stated, and was made in a proper way, and that upon such test or examination such animal failed to give any evidence of such disease.

SEC. 90. *Violations of rabies quarantines; release and impounding of dogs.*—If the commissioner shall quarantine any particular districts or territory for the purpose of stopping or preventing the spread of the disease known as rabies, and if any dog be found within the said quarantine district in violation of said quarantine or regulation, any person may catch or cause to be caught such dog and have him impounded or confined. If such dog is thereafter not found to be affected with the disease known as rabies, and satisfactory proof of such fact is presented to the commissioner, he may release the said dog to the owner thereof upon due application therefor. Upon receipt of such release the owner of such dog shall pay a penalty of \$10 to the treasurer or chief officer of the city, if such district be located wholly within a city, and otherwise to the treasurer of the county in which such dog is impounded. Upon due proof of such payment the owner thereof shall be entitled to the possession of such dog. If application for such release be not made to the commissioner within three days after such dog is found not to be affected, or if such penalty be not paid by the owner within three days after the receipt of such release, or if it is found impracticable after reasonable effort to catch and impound such dog which is within said quarantine district in violation of such quarantine or regulation, then any person may kill or cause to be killed such dog and shall not be held liable for damages for such killing.

SEC. 91. *Shipping, slaughtering, and selling veal for food.*—No person shall slaughter or expose for sale, or sell any calf or carcass of the same or any part thereof, unless it is in good healthy condition. No person shall sell or expose for sale any such calf or carcass of the same or any part thereof except the hide, unless it was, if killed, at least 3 weeks of age at the time of killing. No person or persons shall bring or cause to be brought into any city, town, or village any calf or carcass of the same or any part thereof for the purpose of selling, offering, or exposing the same for sale unless it is in a good healthy condition, and no person or persons shall bring any such calf or carcass of the same or any part thereof except the hide into any city, town, or village for the purpose of selling, offering, or exposing the same for sale unless the calf is 3 weeks of age, or, if killed, was 3 weeks of age at the time of killing: *Provided, however,* That the provisions of this section shall not apply to any calf or carcass of the same or any part thereof which is slaughtered, sold, offered, or exposed for sale for any other purpose than food. Any person or persons exposing for sale, selling, or shipping any calf or carcass of the same will be presumed to be so exposing, selling, or shipping the said calf or carcass of the same for food. Any person or persons shipping any calf for the purpose of being raised, if the said calf is under 3 weeks of age, shall ship it in a crate, unless said calf is accompanied by its dam. Any person shipping calves under 3 weeks of age for fertilizer purposes must slaughter such calves before such shipping. Any person or persons duly authorized by the commissioner may examine any calf or veal offered or exposed for sale or kept with any stock of goods apparently exposed for sale, and if such calf is under 3 weeks of age, or the veal is from a calf killed under 3 weeks of age, or from a calf in an unhealthy condition when killed, he may seize the same and cause it to be destroyed and disposed of in such manner as to make it impossible to be thereafter used for food.

SEC. 92. *Shipping veal; receiving veal for shipment by common carriers.*—It shall be unlawful for any corporation, partnership, person, or persons to ship to or from any part of this State any carcass or carcasses of a calf or calves or any part of

such carcass except the hide, unless they shall attach to every carcass or part thereof so shipped, in a conspicuous place, a tag that shall stay thereon during such transportation, stating the name or names of the person or persons who raised the calf, the name of the shipper, the place of shipping, and the destination and the age of the calf. No person or persons shall mutilate or in any way disfigure such tag in such way as to conceal information given thereon or render the same illegible. No railroad company, express company, steamboat company, or other common carrier shall carry or receive for transportation any carcass or carcasses of calves, or any part of the same except the hide, unless the said carcass or carcasses or parts thereof shall be tagged as herein provided.

SEC. 93. *Assistance of local officers in enforcing article.*—The commissioner may call upon the sheriff, under sheriff, or deputy sheriff in a county to carry out and enforce the provisions of any notice, order, or regulation which he may make pursuant to this article, and every such officer shall obey every order and instruction received from him in the premises. The expense incurred by any such officer in carrying out and enforcing the provisions of such notice, order, or regulation shall be a State charge, to be audited by the commissioner and paid by the State treasurer on the warrant of the comptroller in the same manner as other State charges are paid, notwithstanding the provisions of any local or special act fixing or limiting the compensation or expenses payable by the county to its sheriff, under sheriff, or a deputy sheriff. If a city or part thereof be included in any notice, order, rule, or regulation of the commissioner made under this article, the commissioner may call upon the commissioner of public safety or the police department of such city to enforce the same within the city or portion thereof affected; and the commissioner of public safety or police department shall obey every order or instruction so made or issued; and the expenses incurred therefor shall be a State charge.

SEC. 94. *Commissioner and employees are peace officers.*—For the purpose of enforcing the provisions of this article, the commissioner, assistant commissioners, and other officers and employees of the department shall be deemed peace officers and have all the rights and powers of peace officers.

* * * * *

SEC. 96. *Certificates of registry of domestic animals.*—Certificates of registry, and of transfer of domestic animals when issued by and under seal of a duly organized and recognized corporation or association formed for the purpose of registering purebred domestic animals, may be received in evidence in any action or proceeding, and shall be presumptive evidence of the facts and circumstances stated therein.

* * * * *

ARTICLE 17.—ADULTERATION, PACKING, AND BRANDING OF FOOD AND FOOD PRODUCTS

SEC. 198. *Prohibition as to adulterated or misbranded food.*—No person or persons, firm, association, or corporation shall, within this State, manufacture, produce, compound, brew, distill, have, sell, offer or expose for sale, or serve in any hotel, restaurant, eating house, or other place of public entertainment any article of food which is adulterated or misbranded within the meaning of this article.

SEC. 199. *Adulteration of food, generally.*—Food shall be deemed adulterated—

1. If any substance be mixed or packed with it so as to reduce or lower or injuriously affect its quality or strength.
2. If any substance has been substituted wholly or in part for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted.

4. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

5. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically or by maceration in water or otherwise, and directions for the removal of said preservative shall be printed on the package, the provisions of this article shall be construed as applying only when said products are ready for consumption.

6. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal or one that has died otherwise than by slaughter.

7. If it contains methyl or wood alcohol in any of its forms, or any methylated preparation made from it.

SEC. 200. *Misbranding of food*.—An article of food shall be deemed to be misbranded—

1. If it be an imitation of or offered for sale under the distinctive name of another article.

2. If the package containing it or its label shall bear any statement regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular.

3. If the package containing it or its label is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

4. If it be contained in or served in or from any bottle or receptacles falsely marked, labeled, or branded as to the name of the person or corporation manufacturing the same.

SEC. 201. *When food not deemed adulterated or misbranded*.—An article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

1. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where such article has been manufactured or produced, and if it is not contained in, or served in, or from any bottle or receptacle falsely marked, labeled, or branded as to the name of the person, persons, or corporation manufacturing the same.

2. In case of articles labeled, branded, or tagged, so as to plainly indicate that they are mixtures, compounds, combinations, imitations, or blends: *Provided*, That the same shall be labeled, branded, or tagged so as to show the character and constituents thereof: *And provided further*, That nothing in this article shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this article may require to secure freedom from adulteration or imitation.

SEC. 202. *Adulteration of confectionery*.—An article of confectionery shall be deemed adulterated if it contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous color or flavor or other ingredient deleterious or detrimental to health.

SEC. 203. *Manufacture and sale of imitation maple sugar and sirup prohibited.*—

1. No person shall manufacture for sale, keep for sale, or offer or expose for sale any sugar in imitation or semblance of maple sugar which is not pure maple sugar, nor any sirup in imitation or semblance of maple sirup, which is not pure maple sirup, nor shall any person manufacture, offer, or expose for sale any sugar as and for maple sugar which is not pure maple sugar, nor any sirup as and for maple sirup which is not pure maple sirup.

2. For the purpose of this article the term "maple sugar" shall be deemed to mean sugar made from pure maple sap or pure maple sirup, and the term "maple sirup" shall be deemed to mean sirup made from pure maple sap.

SEC. 204. *Branding and labeling of maple sugar and sirup mixtures.*—No person shall manufacture, sell, or expose for sale any compound or mixture as and for sugar which shall be made up of maple sugar mixed with any other sugar or any other substance without branding or labeling the said sugar with a statement giving the ingredients of which it is made up. No person shall manufacture, sell, expose for sale, or offer for sale any compound or mixture as sirup which shall be made up of maple sirup mixed with any other sirup or ingredient without branding or labeling said sirup with a statement giving the ingredients of which it is made up. This shall not be construed to apply to a sirup or sirups manufactured and sold for medicinal purposes only.

SEC. 205. *Defining honey.*—The terms "honey," "liquid or extracted honey," "strained honey," or "pure honey," as used in this article, shall mean the nectar of flowers that has been transformed by and is the natural product of the honey bee, taken from the honeycomb and marketed in a liquid, candied, or granulated condition.

SEC. 206. *Relative to selling a commodity in imitation or semblance of honey.*—No person or persons shall sell, keep for sale, expose, or offer for sale any article or product in imitation or semblance of honey branded as "honey," "liquid or extracted honey," "strained honey," or "pure honey" which is not pure honey. No person or persons, firm, association, company, or corporation shall manufacture, sell, expose, or offer for sale any compound or mixture branded or labeled as and for honey which shall be made up of honey mixed with any other substance or ingredient. There may be printed on the package containing such compound or mixture a statement giving the ingredients of which it is made; if honey is one of such ingredients, it shall be so stated in the same size type as are the other ingredients, but it shall not be sold, exposed for sale, or offered for sale as honey; nor shall such compound or mixture be branded or labeled with the word "honey" in any form other than as herein provided; nor shall any product in semblance of honey, whether a mixture or not, be sold, exposed, or offered for sale as honey, or branded or labeled with the word "honey," unless such article is pure honey.

SEC. 207. *Definition of vinegars and adulterated vinegars.*—All vinegars made by fermentation without distillation must carry in solution the extractive matter derived exclusively from the substances from which they were fermented.

The terms "cider vinegar," "apple vinegar" shall be construed to mean the product made exclusively from the juices pressed from apples, by alcoholic and subsequent acetous fermentations, the acidity, solids, and ash of which have been derived exclusively from the apples from which it was fermented.

The term "sugar vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of solutions of sugar, sirup, molasses, or refiner's sirup.

The term "malt vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of an infusion of barley malt.

The terms "wine vinegar," "grape vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentation of the juice of grapes.

The term "glucose vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of solutions of corn sugar or glucose.

The terms "spirit vinegar," "distilled vinegar," "grain vinegar" shall be construed to mean the product made by the acetous fermentations of dilute distilled alcohol.

All vinegars which contain any added drugs, acids, coloring matter, or ingredients not derived exclusively from the substances from which they were respectively made, or which shall contain less than 4 grams of acetic acid in 100 cubic centimeters of the vinegar at 20° C., shall be deemed adulterated. Nothing herein shall be deemed to prohibit the manufacture of vinegar for consumption elsewhere than within this State of such acid content as may be elsewhere required.

The product made by the destructive distillation of wood, known as pyroligneous acid, or acetic acid derived from other sources than fruit, grain, vegetables, sugar, or sirup, shall not be sold, offered, exposed, or had in possession for sale for food.

Mixtures of two or more of the vinegars herein defined are compounds, and the packages containing the same shall be plainly marked or branded with the word "compound," together with the proportions of the vinegars so mixed, in addition to the other requirements of section 209 of this article.

Packages containing vinegars made from wine or fruits which have been reduced with water must be plainly marked or branded "reduced to — per cent acid strength," indicating the acidity to which they have been so reduced, or words equivalent thereto.

SEC. 208. *Manufacture and sale of adulterated or imitation vinegar prohibited.*—No person, firm, or corporation shall manufacture, sell, offer, expose, or have in possession for sale in this state:

1. Any vinegar defined herein not in compliance herewith.
2. Any adulterated vinegar.
3. Any vinegar or product in imitation of cider or apple vinegar which is not cider or apple vinegar.
4. As or for cider or apple vinegar, any vinegar or product which is not cider or apple vinegar.

SEC. 209. *Packages containing vinegar to be branded.*—Every manufacturer or producer of vinegar shall plainly brand each cask, barrel, or other container of such vinegar with his name and place of business, the kind of vinegar contained therein, and the substance or substances from which it was made. And no person shall mark or brand as or for cider or apple vinegar any package containing that which is not cider or apple vinegar. Every person who sells any vinegar other than pure cider or apple vinegar, except it be delivered to the purchaser in the unbroken package in which such seller received it, shall plainly and conspicuously mark or brand the receptacle or container in which such vinegar is delivered to the purchaser, whether such receptacle or container be furnished by the seller or purchaser, with a label showing the kind of vinegar so delivered and the substance or substances from which it was made. Nothing herein shall be deemed to prohibit the sale of cider vinegar stock, provided it be sold as and for such and in compliance with the provisions of this article as to marking or branding. The term "cider vinegar stock" when used herein shall be construed to mean acetified apple juice of less acidity than that required for vinegar which contains sufficient alcohol to develop the acidity required in vinegar.

SEC. 210. *Branding pork.*—Each barrel of pork shall be branded on one of its heads by its name, and contain either "mess pork," "prime pork," or "cargo pork." "Mess pork" consists of the sides of good, fat hogs, exclusive of all other pieces. "Prime pork" is pork of which there is in a barrel not more than three shoulders, the legs being cut off at the knee joint, not more than 24 pounds of heads which have the ears and snouts cut off, the snouts cut off to the opening of the jaws and the brains and bloody gristle taken out of the heads; and the rest made up of side pieces, neck, and tail pieces. "Cargo pork" is pork of which there is not in a barrel more than 30 pounds of head and four shoulders, and it shall be others wise merchantable pork. "Side pork" so repacked shall be cut from the back bone to the belly, in pieces about 5 inches wide, and which in weight are not under 4 pounds; otherwise, the barrels containing the same shall not be branded merchantable pork.

SEC. 211. *Branding canned goods.*—No packer or dealer in hermetically sealed, canned, or preserved fruits, vegetables, or other articles of food within this State, excepting canned or condensed milk or cream, shall sell or offer the same for sale for consumption within this State unless the cans or jars containing the same shall have plainly printed upon a label thereupon, with a mark or term clearly indicating the grade or quality of the articles contained therein, the name, address, and place of business of the person or corporation canning or packing them, or the name of the wholesale dealer in the State selling or offering the same for sale, and the name of the State, county and city, town or village where packed, preceded by the words "packed at."

If containing soaked goods or goods put up from products dried or cured before canning, there shall also be printed upon the face of such label in good legible type, one-half of an inch in height and three-quarters of an inch in width, the word "soaked."

Goods imported from foreign countries of foreign manufacture shall not be subject to the provisions of this section.

The provisions of this section shall not apply to hermetically sealed or canned or preserved foods in containers which are labeled in accordance with the provisions of the act of Congress of June 30, 1906, relating to misbranded and adulterated foods.

SEC. 212. *Branding oyster kegs and cans.*—Every person engaged in putting up oysters for sale in kegs or cans, or offering them for sale in kegs or cans, not previously marked or branded, shall mark or brand such kegs or cans with the true quantity of oysters in pints, quarts, or gallons, which they may respectively hold, and not more than one-quarter of such quantity shall be liquid.

SEC. 213. *Repacking fruit and farm produce.*—A person, firm, or association who purchases fruit or farm produce in barrels, boxes, or other packages, and empties, or causes to be emptied, such barrels, boxes, or other packages, and repacks, or causes to be repacked therein, the same or other fruit or farm produce, shall before any such repacked barrel, box, or other package is sold, or offered or exposed for sale, erase or otherwise obliterate the name of the grower or producer, if found thereon.

SEC. 214. *Guaranty established.*—1. No dealer shall be prosecuted under the provisions of this article when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing or having a place of business within the State from whom he purchased the articles to the effect that the same are not adulterated or misbranded within the meaning of this article. Said guaranty to afford protection shall contain the name and address of the guarantor, and in such case the guarantor shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this article.

2. It shall be the duty of the commissioner immediately upon the discovery of evidence that any article of food is adulterated or misbranded within the meaning of this chapter, to notify in writing the dealer selling the same, and no guaranty shall exempt any dealer from prosecution if he shall continue to sell such article after having received such written notice.

* * * * *

SEC. 296. Laws repealed.—Chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws"; chapter 802 of the laws of 1917, entitled "An act in relation to farms and markets, constituting chapter 69 of the consolidated laws"; articles 2, 2-a, 13, 14, 15, and 25-a, and sections 390, 392, 393, 394, 395, and 397, of chapter 25 of the laws of 1909, entitled "An act relating to general business, constituting chapter 20 of the consolidated laws"; and section 43, 46, 47, 48, and 49, of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," and all acts and parts of acts amendatory thereof or supplemental thereto, are hereby repealed.

Food and Drugs—Article 4 of Public Health Law Relating to the Adulteration of, Repealed. (Ch. 335, Act Mar. 28, 1922)

SECTION. 1. Article 4 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby repealed.

SEC. 2. This act shall take effect April 1, 1922.

Adulterated Drugs and Medicines and Ice Cut from Canals—Sale. (Ch. 122, Act Mar. 11, 1922)

SECTION. 1. Section 1748 of the penal law is hereby amended to read as follows:

SEC. 1748. Adulterated drugs.—A person who—

1. With the intent that the same may be sold as unadulterated or undiluted, adulterates or dilutes any drug or medicine, for man or beast; or,

2. Knowing that the same has been adulterated or diluted, offers for sale or sells the same as unadulterated or undiluted, or without disclosing or informing the purchaser that the same has been adulterated or diluted, in a case where special provision has not been made by statute, for the punishment of the offense; or,

3. Sells or offers to sell, or stores or transports with intent to sell for any purpose other than cooling beer in casks, ice cut from any canal or from the wide waters or basins of any canal, unless the ice so sold, or offered for sale or stored or transported, is contained in a building, cart, car, sleigh, float, or receptacle upon which is plainly marked in roman or capital letters, not less than 8 inches square, the words, "canal ice";

Is guilty of a misdemeanor.

SEC. 2. Subdivision 3 of section 180, section 192, section 433, section 1751, and section 1753 of such chapter are hereby repealed.

SEC. 3. This act shall take effect April 1, 1922.

Midwives—Licensing and Registration—Certain Acts Not to be Done by. (Ch. 501, Act Apr. 6, 1922)

SECTION 1. Chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," and the several acts amendatory thereto, is hereby amended by adding another article thereto, to be designated as article 8-a, to read as follows:

ARTICLE 8-A. THE LICENSING AND REGISTRATION OF MIDWIVES

SEC. 175. On and after the date of the passage of this act no person, other than a duly licensed and registered physician, shall practice midwifery or use the name or title of midwife unless such person shall be duly registered as a midwife with the local registrar of vital statistics, pursuant to provisions of section 385 of the public health law, as amended by chapter 619 of the laws of 1913, and unless such person shall have received a license to practice midwifery from the State commissioner of health.

SEC. 176. On and after the date when this act shall take effect no person not duly licensed as a midwife shall be registered as a midwife by any registrar of vital statistics.

SEC. 177. On and after the date when this act shall take effect every licensed midwife shall register her name and address with the registrar of vital statistics of the district wherein she resides, and of each district wherein she engages in the practice of midwifery, within 10 days after the issuance of such license and after any change in her address.

SEC. 178. On and after the date when this act shall take effect no license to practice midwifery shall be issued unless written application therefor, sworn to by the applicant, has been made in the form prescribed by the State commissioner of health to the State commissioner of health. Every applicant for a license to practice midwifery as hereinbefore provided must possess the following qualifications:

(a) Be not less than 21 years of age.

(b) Be able to read and write: *Provided*, That in cases of persons of foreign birth who have extended experience or in other exceptional circumstances this requirement may be waived by the State commissioner of health.

(c) Be clean and constantly show evidence, in general appearance and in their homes, of habits of cleanliness.

(d) Either—

(1) Possess a diploma from a school for midwives recognized by the State commissioner of health; or

(2) Have attended, under the instruction of a duly licensed and registered physician, not less than 15 cases of labor and have had the care of at least 15 mothers and newborn infants during lying-in period of at least 10 days each, and shall present a written statement from said physician or physicians that she has received such instruction in said 15 cases, with the name, date, and address of each case, and that she is reasonably skillful and competent, and establishing the fact that she is reasonably skillful and competent, to the satisfaction of the State commissioner of health; or

(3) Present other evidence satisfactory to the State commissioner of health of her qualifications, and

(e) Present evidence satisfactory to the State commissioner of health of good moral character, in such form as the State commissioner of health by rule or regulation may prescribe.

SEC. 179. Unless revoked, every license to practice midwifery issued by the State commissioner of health shall permit the holder thereof to practice midwifery only during the current calendar year in which such license is issued, the term of said calendar year being from January 1 in any one year to December 31 next succeeding.

SEC. 180. The State commissioner of health is hereby authorized and empowered to make such rules and regulations as the State commissioner of health may deem necessary and proper for the supervision and regulation of the practice of midwifery within the State of New York.

SEC. 181. The State commissioner of health or his deputy may revoke the license to practice midwifery issued pursuant to the provisions of this article, for cause, after having given the midwife whose license is sought to be revoked an opportunity to be heard.

SEC. 182. All midwives to whom licenses shall be issued pursuant to the provisions of this article shall conform to all rules and regulations of the State commissioner of health, the provisions of the sanitary code enacted by the public health council, the provisions of the public health law of the State of New York, the rules and regulations of any local board of health, and all lawful orders and directions of the State department of health, or any local board of health, or any local health officer, and any violation on the part of any midwife of any of the rules and regulations of the State commissioner of health, the sanitary code as adopted by the public health council, the provisions of the public health law or the rules and regulations of any local board of health, or the disobedience of any lawful order of the State department of health or any local department of health or local health officer, shall be sufficient cause for the revocation of any license issued to a midwife and shall also be a sufficient cause for the withholding of any license to practice midwifery from any midwife so offending in any manner as aforesaid by the State commissioner of health.

SEC. 183. A duly licensed and registered midwife may practice midwifery in cases of normal labor and in no others. No midwife shall in any case of labor use instruments of any kind nor assist labor by any artificial, forcible, or mechanical means, nor perform version nor attempt to remove adherent placenta nor administer, prescribe, advise, or employ any poisonous or dangerous drug, herb, or medicine, nor attempt the treatment of disease except where the attendance of a physician can not be speedily secured, and, in such cases, the midwife shall secure the attendance of a physician as soon as possible.

SEC. 184. The State commissioner of health is authorized to require of all local health officers a report as to the conduct of the several midwives who may be practicing within the jurisdiction of a local health officer, and it shall be the duty of such local health officers to report truthfully any and all matters pertaining to the conduct of any licensed and registered midwife practicing as such in the jurisdiction of any local health officer. All reports of such local health officers respecting the conduct of such midwives, and all reports of any employees of the State department of health relating to the conduct and deportment of midwives so licensed as provided for in this article, made in the course of and as part of the official duties of such employees of the State department of health, shall be deemed prima facie evidence of the facts detailed in said report, and further be deemed sufficient to justify the action of the State commissioner of health in refusing to issue any license to an applicant therefor, where the information as detailed in such reports of any local health officer or the reports of any employee of the State department of health respecting the conduct of any midwife in his judgment justifies the withholding of such a license to such an applicant.

SEC. 185. The State commissioner of health may, by rule or regulation, provide that all licenses issued to midwives for the calendar year 1922 under prior rules or regulations of the State commissioner of health or the public health council may remain in force and effect until the end of the calendar year 1922, whereupon all licenses to practice midwifery for the calendar year 1922 shall be issued pursuant to the provisions contained in this article.

SEC. 186. Each application to renew a license to practice midwifery as heretofore provided shall be deemed as a new application and shall be supported by the proof of all the qualifications required of midwives as hereinbefore set forth in this article, or as may be required by any rules and regulations of the State

commissioner of health, adopted and promulgated pursuant to the provisions of this article: *Provided, however,* That the State commissioner of health may, in cases where his information with respect to the conduct of midwives satisfies the commissioner of health that a person holding a license is properly qualified and has conformed to the provisions of the public health law, the public health council and the rules and regulations of the State department of health in the practice of midwifery, issue a new license to such person upon application therefor, without demanding proof of all of the qualifications in this article prescribed or which may be prescribed by the rules and regulations of the State commissioner of health.

SEC. 187. All the power and authority conferred upon the State commissioner of health, pursuant to the provisions of this article with respect to the licensing and registration of midwives, may be exercised by the deputy commissioner of health.

SEC. 188. Every regulation in this chapter, unless otherwise specifically stated, shall take effect throughout the State of New York, except in the cities of New York and Rochester.

Births and Deaths—Registration. (Ch. 415, Act Apr. 1, 1922)

SECTION 1. Section 387 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 619² of the laws of 1913, is hereby amended so as to read as follows:

SEC. 387. *Records to be kept by State commissioner of health.*—The State commissioner of health shall prepare, print and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this article, and shall prepare and issue such detailed instructions, not inconsistent with the regulations established by the public health council as may be required to procure the uniform observance of its provision[s] and the maintenance of a perfect system of registration, and no other blanks shall be used than those supplied by the State commissioner of health. He shall carefully examine the certificates received monthly from the registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, undertakers, or informants, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State commissioner of health or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State commissioner of health, in person, by mail, or through the registrar: *Provided,* That no certificate of birth or death, after its acceptance for registration by the registrar, and no other record made in pursuance of this article, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State commissioner of health shall arrange, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous typewritten or printed index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers or mothers if born out of wedlock. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the public health council, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

² Reprint 264 from Public Health Reports, p. 326.

• SEC. 2. Section 389 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as amended by chapter 213³ of the laws of 1919, is hereby amended so as to read as follows:

SEC. 389. *District records to be kept by registrar.*—Each registrar shall supply blank forms of certificates to such persons as require them. Each registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State commissioner of health; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and he may withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or death, shall be written legibly, in durable black ink, and no certificates shall be held to be complete and correct that does [do] not supply all of the items of information called for therein or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from some disease which is held by the public health council to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except to an undertaker licensed under section 295 of the public health law, under such conditions as may be prescribed by the State public health council. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with the number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the state commissioner of health, to be preserved permanently in his office as the local record, in such manner as directed by the commissioner of health. Within 10 days after receiving the certificate of any legitimate birth he shall furnish to the parents or guardian of the child a certificate of registration, to be made out on a form which shall be furnished by the State commissioner of health; except that the issuance of such certificate of registration may be postponed until the child's given name is also registered; and such certificate of registration shall be accepted by public authorities in this State for the purposes indicated in section 388 of this chapter in the same manner as certified copies of birth certificates; he shall also make a notation on his copy of the original birth certificate indicating the date of issuance of such certificate of registration. He shall, on the fifth day of each month, transmit to the State commissioner of health all original certificates registered by him for the preceding month. If no births or no deaths occurred in any month, he shall, on the fifth day of the following month, report that fact to the State commissioner of health on a card provided for such purpose.

Garbage and Rubbish—Willful Depositing of, on Highways Unlawful. (Ch. 296, Act Mar. 27, 1922)

SECTION 1. Section 1434 of the penal law is hereby amended to read as follows:

SEC. 1434. *Placing injurious substances on roads.*—Whoever * * * willfully deposits within the limits of any highway any garbage or other rubbish shall be guilty of a misdemeanor and on conviction be fined not less than 5 nor more than 50 dollars.

³ Supplement 42 to Public Health Reports, p. 565.

PHILIPPINE ISLANDS

Leprosy—Sale to Private Parties of Drugs Manufactured by the Government for the Treatment of. (No. 3007, Act Mar. 8, 1922)

SECTION 1. The secretary of public instruction shall, at his discretion and under such restrictions as he may deem advisable, permit the sale to private parties of drugs manufactured by the Government for the treatment of leprosy, and to fix the price for the same.

Pupils—Medical Inspection. (No. 3029, Act Mar. 8, 1922)

SECTION 1. Beginning with the month of June, 1922, it shall be the duty of the director of health to provide for the medical inspection of the children in all Government elementary schools at least once each year.

SEC. 2. The director of health shall detail any surgeon or officer of the health service to make such inspection without additional remuneration: *Provided, however,* That the travel expenses and per diems of surgeons or health officers so detailed shall be paid out of the funds of the bureau of education.

Opium and Instruments and Articles Intended to be Used with Opium—Forfeiture and Disposal of, when Unlawfully Used or Possessed. (No. 3006, Act Mar. 8, 1922)

SECTION 1. Section 7 of act numbered 2381,¹ entitled "An act restricting the use of opium and repealing act numbered 1761," is hereby amended so as to read as follows:

"SEC. 7. When unlawfully used, or found on, about, or in the possession of any person not authorized to have control and disposition of the same, or when found secreted or abandoned, all prohibited drugs and all instruments, apparatus, and articles especially assigned for their use shall be forfeited to the government and shall be at once seized.

"Articles so seized shall be turned over to the chief of constabulary, to be dealt with by him according to law."

¹ Reprint 279 from Public Health Reports, p. 154.

PORTO RICO

Plague—Fumigation of Cargo from Ports Infected With—Periodic Fumigation of Places Used for the Storing of Provisions. (Sanitary Regulation No. 74, Promulgated Dec. 28, 1922)

SECTION 1. Any cargo coming from ports officially declared infected with bubonic plague shall be fumigated by the department of health at the time of landing in any port of Porto Rico.

SEC. 2. Any warehouse, grocery, storehouse, used for the storing of provisions shall be fumigated by the department of health at least once every six months.

SEC. 3. The infringement of any of the dispositions of this regulation shall be punished in accordance with section 33 of "An act to reorganize the service of sanitation," approved March 14, 1912.

Bakeries—Construction—Sanitary Requirements—Health Certificates Required of Employees. Bakery Products—Manufacture and Sale—Sanitary Requirements. (Sanitary Regulation No. 73, Promulgated Feb. 24, 1922)

SECTION. 1. No building in the island of Porto Rico shall be used for a bakery without the approval of the plans of said building or place where the industry is to be established by the insular sanitary engineer, said plans to be subject to the provisions of this regulation.

SEC. 2. No person, firm, corporation, or institution shall offer for sale, sell, or manufacture bread or other food products, prepared with wheat flour or superfine wheat flour, without a permit issued by the proper officer of the department of health: *Provided*, That this permit shall be renewed every year and may be revoked whenever the sanitary provisions in force are not complied with.

SEC. 3. Every building or premise used as a bakery and for the manufacture of the other foodstuffs referred to in the preceding section shall be erected in the locality providing the best sanitary conditions and separated from other buildings or premises used for industries producing offensive odors or other harmful contingencies which may affect the good quality of the bread and other products already mentioned.

SEC. 4. The building or premise used as a bakery shall contain the following departments:

(a) Kneading and baking: The oven shall be fireproof, with the specific requirement that the floor shall be of terra cotta or other refractory material. Said oven shall have two openings, one for the baking of bread and the other, which must be on the outside of the building, for the introduction of fuel and the cleaning of the oven.

The kneading shall be done by machinery when, in the opinion of the commissioner of health, the quantity of bread baked justifies the expenditure. The dough shall be kept in a receptacle lined with a smooth, nonabsorbent material.

(b) Warehouse for storage of flour and other ingredients connected with the industry.

(c) Premise for the sale of bread: This premise shall contain a place for the storage and preservation of the bread in good condition.

(d) Department for cleansing all utensils used in the work, in which department there shall be installed one or more porcelain-lined sinks, with an abundant supply of water.

(e) Room for employees provided with shower baths, porcelain washbowls, sanitary towels, and an abundant supply of water.

(f) A toilet or latrine as may become necessary. The toilet room shall not be in direct communication with any department of the bakery. The latrine shall be constructed outside of the building and never at less than 3 meters from any part thereof. This department shall be maintained fly proof.

SEC. 5. The interior and exterior walls of the bakery shall be of concrete, metal work covered with cement, or brick.

SEC. 6. All departments shall receive light and air directly from the street, from an alley 2 meters wide, or from a courtyard of not less than 3 by 5 meters, and in each department the area of the doors or windows opening into these spaces shall not be less than one-fifth of the area of its floor: *Provided*, That when the greatest length of a department shall be more than twice the height from the floor to the ceiling, the insular sanitary engineer may require the installation, in the ceiling of said department, of a mechanical apparatus for air circulation and the construction of a glass-covered skylight. The courtyard and alley mentioned in this section shall be the property of the proprietor of the building and said openings shall be roofless.

SEC. 7. The motor used in a bakery shall be placed outside of the site used for kneading and baking, unless it be an electric motor.

SEC. 8. The floors of all departments shall be at least 12 inches above the ground, constructed of cement, asphalt, or tiles, and should be scrubbed daily. Said floors shall have the necessary drainage and shall be rat proof.

SEC. 9. All departments shall be at least 12 feet high, the walls shall be plastered, cemented, polished, or wainscoted, the ceiling shall be plastered, or covered with boards or metal, and shall be whitewashed at least twice a year.

SEC. 10. In the bathrooms and toilets the floors and walls, to a height of 1.50 meters, shall be of a white nonabsorbent material and shall form a solid body with the cement.

SEC. 11. All furniture and utensils shall be so placed as to be easily moved, and the space between them and the floor shall be kept clean and in such condition that it will not harbor rats. No rubbish or any other objects which may become breeding places for insects or rats shall be kept in bakeries: *Provided*, That all vessels, utensils, and other objects that are or may come in immediate contact with the bread after kneading and in the necessary handling process of making it shall be kept scrupulously clean.

SEC. 12. Wood for fuel shall be stored in an appropriate place outside of the building, and shall be piled on frames constructed in such manner that the distance between the lowest cross beam of the same and the ground shall not be less than 2 feet: *Provided*, That if the yard is of concrete no frame is necessary.

SEC. 13. Bakeries shall be maintained rat, fly, and insect proof and free from all domestic animals, also removed from cigar factories, stables, and barns; neither shall these last-named establishments be installed within such distance as to be harmful to an existing bakery. Dry sweeping which may disseminate dust is prohibited. No person shall sleep in any department of a bakery.

SEC. 14. Bakeries shall be provided with cuspidors, containing sufficient quantity of disinfectant, which shall be changed daily. Spitting on the floor is prohibited.

SEC. 15. No person shall be employed in any bakery who is suffering from tuberculosis, scrofuloderm, venereal diseases, syphilitic ulcerations, or simple or contagious dermatosis. No person shall be employed unless previously provided with the corresponding health certificate by the proper officer of the department of health.

SEC. 16. The manager, or person in charge of the bakery, as well as his assistants, shall always be clean while preparing, handling, manufacturing, or selling bread and flour products.

SEC. 17. For the purposes of this regulation, wheat flour or superfine wheat flour, shall be understood to be that which, being clean and sound, conforms to the official standard of the pure food and drug law approved by the United States Congress on June 30, 1906, as applied to insular possessions. If different from this standard, it shall be considered abnormal and can not be used in the manufacture of bread, except in accordance with the provisions of the following section.

SEC. 18. The manufacture of bread containing a mixture of wheat flour and other flours of inferior quality to the standard fixed in the preceding section is not prohibited: *Provided*, That when selling the product this condition is specified: *And provided further*, That in the mixture the maximum of inferior flour used shall be 50 per cent.

SEC. 19. For the purposes of this regulation wheat bread shall be understood to be the product prepared with wheat flour kneaded and fermented under good hygienic conditions by sanitary mechanical processes and placed in the oven until completely baked.

This bread shall be light and spongy, with a nutty smell and *sui generis* taste; filtered water or pure milk, eggs, or lard shall be used in its preparation, and the salt and yeast used shall be of best quality and in good hygienic conditions.

SEC. 20. Only such yeasts shall be used as combine the following characteristics: Uniform creamy-white color, firm, uniform texture, damp but not soapy appearance, characteristic odor of apples. No yeasts shall be used the smell of which indicates incipient or advanced decomposition or which show dark or colored stripes.

SEC. 21. No product shall be sold or offered for sale in Porto Rico made from sour or unwholesome flour or if mixed with general salts or other ingredients, or if its condition is such that when used for food it may be injurious or seriously affect the health.

SEC. 22. Every loaf of bread, of whatever kind, size, or weight, as soon as it is baked, shall be carefully wrapped in paper and thus kept until distributed to the public: *Provided*, That when a bakery has a regular order to deliver a certain quantity of bread every day at retail to a certain person, or in case of a large amount of loaves previously ordered, the loaves may be delivered wrapped in one bundle. This shall be done as soon as the bread is baked. Bread shall be kept and transported in vehicles which are insect and dust proof.

SEC. 23. Boards or other substances which have been painted or subjected to any chemical preparation or which may be impregnated by injurious substances are prohibited for use as fuel in the ovens of bakeries.

SEC. 24. The addition to wheat flours of any substances tending to increase their natural weight or volume is prohibited, as well as the employment of processes extraneous to the natural and known processes of bread making which have been proven by experience: *Provided*, That in any bread, the dough of which is not composed exclusively of wheat flour, yeast, common salt, and well-filtered water, its composition shall be clearly expressed at time of sale: *And provided further*, That nothing contained in this regulation shall be understood to be opposed to the making of bread if its manufacture be in accordance with the general sanitary conditions required by this regulation as to the making of wheat bread.

SEC. 25. This regulation shall be applicable to newly constructed bakeries: *Provided*, That the commissioner of health is authorized to omit any of its requirements when, in his opinion, the quantity of bread baked does not justify

the expense and such omission will not be injurious to public health: *Provided, further,* That bakeries now existing shall be altered and made to conform, as far as possible, to the provisions of this regulation, within a reasonable time, as may be ordered by the commissioner of health from time to time.

SEC. 26. Any person violating any provision of this regulation shall be punished by fine of not less than \$1 nor more than \$100, or by imprisonment of from 1 to 30 days, or both, in the discretion of the court.

SEC. 27. All regulations or ordinances in conflict with this regulation are hereby repealed.

SEC. 28. Sanitary regulations Nos. 30, 39, and 56 "for bakeries, baking processes, and sale of bread" are hereby repealed.

Factories, Workshops, and Public Establishments—Licensing—Health Certificates May be Required of Employees. (Sanitary Regulation No. 71, Promulgated Jan. 12, 1922)

SECTION 1. No person, firm, syndicate, corporation, or institution whatsoever shall operate any factory, workshop, or public establishment in the island of Porto Rico without previously obtaining a license issued by the proper officer of the department of health.

SEC. 2. Except when otherwise provided for in the sanitary regulations, the licenses above mentioned shall be issued annually. They shall be displayed in a conspicuous position in the factory, workshop, or public establishment.

SEC. 3. Besides other details required by the regulations, licenses shall contain the following information: (a) The name of the person, firm, syndicate, corporation, or institution owning the factory, workshop or public establishment; (b) number of license; (c) date of issue; (d) description of the site where the premises are located; (e) signature of the officer issuing the license.

SEC. 4. No license shall be issued until the proper officer has made an inspection of the factory, workshop, or public establishment to determine the cleanliness and sanitary conditions required by the regulations which are in force, or which may be put into force from time to time.

SEC. 5. The commissioner of health is hereby authorized to revoke licenses granted for the installation of factories, workshops, or public establishments in case of failure to observe in them any provisions of the regulations governing them if, after due notice has been given, the owner fails to correct such differences within the reasonable time which may be prescribed, and a new license will be granted as soon as the requirements are complied with.

SEC. 6. When the person to whom the license has been granted desires to change or discontinue the business, he shall notify, without loss of time, the proper officer of the department of health. In case of change, a new visit of inspection shall be made to determine whether a new license is necessary, and in case of discontinuance the license will be canceled.

SEC. 7. When in the judgment of the proper officer of the department of health it shall be deemed necessary, the employees of factories, workshops, or public establishments will provide themselves with health certificates in the form indicated in sanitary regulation No. 38.

SEC. 8. For the purpose of this regulation those public establishments of speculative, recreative, and informative order are included.

SEC. 9. Any person, corporation, or institution which shall violate any of the dispositions of this regulation shall be punished with a fine of not less than \$1 and not more than \$100 or with imprisonment from 1 to 30 days, or with both penalties, at the discretion of the court.

Urbanization of Lands—Sanitary Requirements. (Sanitary Regulation No. 72, Promulgated Feb. 23, 1922)

SECTION 1. Before proceeding to the urbanization of lands in the island of Porto Rico, municipalities, corporations, owners, or their representatives, shall apply for permission to the insular commissioner of health, said application to be accompanied by a plan in triplicate showing the condition of the soil, situation, street plan, permanent level of such streets, plazas, water supply, disposal of discharges from water-closets, and removal of garbage. Upon approval of said plans one copy shall be filed in the office of the insular sanitary engineer, another shall be filed with the local health officer, and the third shall be the property of the applicant.

Said plans shall be acted upon within a maximum period of 90 days after their presentation, and the work shall be begun within a year after approval of the plans.

SEC. 2. The lands to be urbanized should be naturally dry and healthy, but if they are marshy or damp, or if they have previously been used as a dumping place for garbage or for any industrial products injurious to health, or as a cemetery, or for any building or factory where garbage may have been deposited, they shall first be improved by drainage, drying, or disinfection, as required by circumstances, and no building of any kind except such temporary ones as may be necessary for carrying out said improvements shall be constructed on said lands until the same shall have been made sanitary.

After the lands have been put in proper sanitary condition, the owner thereof shall maintain them in said sanitary condition.

SEC. 3. All streets laid out on said lands shall be at least 10 meters wide, shall run in a straight line except where prevented by justifiable causes, and shall be of the same width throughout their entire length.

Whenever possible, existing streets shall connect directly with all parts of the inhabited territory. Streets to be opened shall be, whenever possible, the prolongation of existing streets, and shall furnish convenient and direct communication with all the other streets of the town.

The lands shall be divided into blocks not exceeding 200 meters in length and not less than 40 meters wide, separated from each other by at least 10 meters, thus forming cross streets which shall conform in every respect to the provisions of these rules and regulations. The slope of the streets shall not be less than 5 millimeters per meter nor less than 10 millimeters when the natural slope of the land will permit. Said streets shall be paved according to the "telford" or "macadam" systems or with dust-proof material and shall be provided with crowns so that the surfaces on either side of the center lines slope toward the edges of the wearing surfaces: *Provided*, That there may be triangular blocks the base of which shall be 40 meters at a distance of not less than 30 meters from the vertex of the triangle.

In towns, on any improved land, and in villages every newly constructed house or building shall face a street or public highway, except the dependencies of such houses or buildings which may be constructed in the yards thereof, dependencies being understood to mean, for the purposes of this article, servants' quarters, kitchen, laundry, coach house, garage, etc. In the case of industrial or commercial establishments, the area occupied by such industrial or commercial dependencies shall not exceed 50 per cent of the area of the main building.

SEC. 4. All streets shall be provided with sidewalks proportionate to their width, those that are 10 meters having sidewalks $1\frac{1}{2}$ meters wide on either side, those 15 meters in width having sidewalks that are 2.50 meters wide, and those that are 20 or more meters in width having sidewalks 3 meters wide.

If a street is more than 14 meters wide, a space, destined for the growing of grass and trees, shall be left on either side between the sidewalks and the gutter, leaving a wheel track of at least 10 meters, and if the street be more than 19 meters wide the wheel track shall be at least 14 meters wide.

SEC. 5. On existing streets whose width is less than 10 meters, construction at a distance of less than 5 meters from the center line of said streets shall be prohibited: *Provided*, That this provision shall not be applicable to such streets of any municipality where buildings are built of concrete, brick, or masonry or are built on both or one side of said streets, and which force the maintenance of both lines or one line, as the case may be. Balconies over 1 meter wide shall not be allowed on said streets.

SEC. 6. Except as hereinafter provided, the height of newly constructed buildings shall not exceed twice the width of the street or open and permanent space which they face: *Provided*, That in the commercial zone of municipalities (the limits of said zone shall be established by the commissioner of health) the height of no newly constructed building shall exceed the following dimensions: 25 meters when facing a street not more than 10 meters wide and twice and one-half the width of the street or permanent open space when its width is over 10 meters: *Provided*, That any building in the commercial zone may be built to a height greater than the aforesaid if the façade is built sufficiently behind the street line to make a proportion not greater than twice and one-half between the height of the building and the width of the street or permanent open space.

In the case of buildings facing streets of different widths the height may be the greatest allowable as hereinbefore provided for a distance not to exceed 25 meters from the street intersection. Beyond this distance the general rule shall be applied.

SEC. 7. When the area of the lands destined for building purposes is one-half kilometer square or more, space shall be provided for one or more public parks, as may be deemed necessary, in the same proportion, and if the land is less than one-half kilometer square, the commissioner of health may decide whether land for public parks should be provided or not. The size of any park shall be not less than 2 per cent of the area of the urbanized land.

SEC. 8. Municipalities, corporations, and owner or owners of all lands destined to be urbanized shall connect same with the public water service where such exists. They shall also provide a system of sewerage wherever there exists an aqueduct which provides a sufficient supply of water for such purpose and where the public sewer is sufficiently near to make it practicable, but where this is not practicable, or where there is no public system of sewerage, these services shall be supplied in accordance with the rules and regulations established for the construction of buildings.

SEC. 9. Each municipality shall, within a reasonable period, prepare a plan of all lands already urbanized that are within the jurisdiction of the municipality the sanitary conditions of which do not comply with the provisions of the rules and regulations.

These plans shall specify the changes which may be necessary to make such urbanized lands conform to the provisions of sections 3 and 4 of these rules and regulations, and after approval of said plans by the commissioner of health the municipality shall only authorize those constructions in said urbanized lands which agree with the conditions specified in the above-expressed plans.

All owners of ground plots and buildings comprised within said lands shall be notified as soon as the plans above alluded to have been prepared, in order that they may examine them and present any comment which they consider advisable for the consideration and resolution of the municipalities.

Ordinances which may be prepared in future by municipalities pertaining to the urbanization, opening, and alignment of streets must harmonize with the

provisions of these rules and regulations which shall not be understood as altering the powers vested in the municipalities, in accordance with the law, to regulate other matters relative to the urbanization of lands which do not affect the public health.

SEC. 10. Anyone violating any of the provisions of these rules and regulations shall be punished in accordance with section 33 of the law of sanitation, in effect since April 1, 1912.

SEC. 11. "Sanitary rules and regulations No. 6. Urbanization of lands in Porto Rico; rules and regulations governing the sanitary conditions to be observed," are hereby repealed.

RHODE ISLAND

Mosquitoes—State Aid to Towns Making Expenditures for the Extermination of (No. 13, Res. Mar. 13, 1922)

Resolved, That any town making an appropriation for the purpose of exterminating the mosquito shall be entitled to State aid to an amount equal to one-half the sum expended by such town previous to September 30, 1922, for material, labor, and expenses in work actually performed, excluding pay for advice, supervision, and clerical assistance.

When the treasurer of any such town shall certify to the State auditor the amount expended for such material, labor, and expenses, the State auditor shall draw his orders on the general treasurer in favor of such town for the amount to which such town is entitled: *Provided*, That such certification shall have been made previous to December 31, 1922, and that not more than \$3,000 shall be paid to any one town. For the purpose of this resolution the sum of \$20,000, or so much thereof as may be necessary, be and the same hereby is appropriated, out of any money in the treasury not otherwise appropriated, for expenditure during the fiscal year ending December 31, 1922; and the State auditor is hereby directed to draw his orders on the general treasurer for the payment of so much of said sum as may from time to time be required in accordance with the provisions hereof.

Secretary of State Board of Health—Duties—Term of Office. (Ch. 2212, Act Apr. 26, 1922)

SECTION 1. Section 7 of Chapter 115 of the general laws as amended by chapter 1056 of the public laws, passed at the January session, A. D. 1914, is hereby amended to read as follows:

"SEC. 7. The secretary shall perform and superintend the work prescribed for said board by law, and such other duties as the board may require; he shall prepare and publish in every calendar month a general summary of all the deaths and causes of the same which had occurred in the State during the preceding month, the same to be made up from returns of deaths which shall be sent to him on or before the 20th day of the month following the date of such deaths, by the several town clerks, the city registrar of Providence, and the city clerks of the other cities. He shall hold his office during the pleasure of the board, and may be removed at any regular meeting by a majority vote of the members of said board."

SOUTH CAROLINA

Printing for the State Board of Health—Provision of Law Relating to, Repealed. (No. 471, Act Feb. 17, 1922)

SECTION 1. *Section 55, Civil Code, 1912, Volume I, repealed; printing for State board of health.*—That section 55 of the Code of Laws of 1912 (Civil Code, Vol. I) relating to the printing for the State board of health be and the same is hereby repealed.

Drinking Water—Analyses of, Required—Publication of Results of Analyses of. (No. 514, Act Mar. 11, 1922)

SECTION 1. *Section 1599, Civil Code, 1912, Vol. I, amended; analyses required of public and quasipublic water supplies.*—Amend section 1599, Civil Code of Laws, Volume I, 1912, by striking out all of line 1, 2, 3, and 4, and line 5 down to and including the word "biologist" and inserting in lieu thereof the following: "Every person, corporation, commission, municipality, or company conducting or operating a public water supply serving municipalities, districts, communities, or a quasipublic water supply serving institution[s], colleges, hospitals, factories, or a business of bottling water to be sold or used for drink, beverage, or medicinal purposes, shall have made at least once every three months, at its own expense, by a chemist to be approved by the State board of health, a chemical analysis, and at least once every three months at the State board of health laboratory a bacteriological examination at its own expense; and that no charge shall be rendered for additional analysis other than the quarterly analysis above required," so that said section shall read as follows:¹

"SEC. 1599. Every person, corporation, commission, municipality or company conducting or operating a public water supply serving municipalities, districts, communities, or a quasipublic water supply serving institutions, colleges, hospitals, factories, or a business of bottling water to be sold or used for drinking, beverage, or medicinal purposes, shall have made at least once every three months, at its own expenses by a chemist and bacteriologist, to be approved by the State board of health, a chemical and bacterial analysis, and that no charge shall be rendered for additional analysis other than the quarterly analysis above required, to be approved by the State board of health, of a sample of its water drawn from a faucet used for drinking purposes, packed and shipped in accordance with the instructions to be furnished by the secretary of the State board of health, and the result of such examination shall be verified by the chemist and bacteriologist making the same, and published at least once in a newspaper published in the town or city using said water, within 10 days after receipt thereof."

Hotels, Lodging Houses, and Restaurants—Inspection Fees. (No. 590, Act Mar. 10, 1922)

SECTION 1. *Act (1920, XXXI Stats. 860) amended; inspection fees.*—That section 20 of an act² entitled "An act to provide for the sanitary inspection and conduct of hotels and restaurants," approved the 6th day of March, 1920, be and the same is hereby amended by striking out on line 17 of said section the figures "\$10" and inserting in lieu thereof the following: "with a seating capacity not exceeding 20, \$5, and for each restaurant with a seating capacity above 20, \$10," so that said section 20 as so amended, will read as follows:³

¹ The amended section does not agree with the amendment.

² Supplement 43 to Public Health Reports, p. 394.

³ The amended section does not agree with the amendment.

SEC. 20. For the purpose of carrying out the provisions of this act the State board of health is authorized and required to have inspected, through its inspectors, to be by it designated therefor, all hotels and restaurants in the State at least once a year. If, upon inspection of any hotel or restaurant, it shall be found that this law has been fully complied with, the secretary of the State board of health shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel or restaurant: *Provided*, That for the purpose of carrying out the provisions of this act a fee for inspection shall be collected from each hotel, lodging house, or restaurant according to following schedule: For each hotel or public lodging house of 10 to 20 rooms, \$3; for 20 to 30 rooms, \$5; for 30 to 40 rooms, \$10; for 40 to 60 rooms, \$15; for 60 to 100 rooms, \$20; for 100 rooms and above \$25. For each restaurant with a seating capacity not exceeding 20, \$2.50, and for each restaurant with a seating capacity above 20, \$10.

TENNESSEE

Public Swimming Pools—Construction—Operation—Sanitary Requirements. (Reg. Bd. of H., Apr. 4, 1922)

SECTION I. *Definitions and terms.*—ARTICLE I. The term "public swimming pool" shall include all pools open to the public whether or not a fee is charged for its use.

ART. II. "Owner" shall mean municipality, corporation, company, firm, or individual owning, controlling, or operating the swimming pool.

SEC. II. *Construction of pools.*—ARTICLE I. The pool walls shall be vertical, and walls, floors, and surrounding walks shall be surfaced with white tile, cement (white or gray), or other impervious material, finished with a smooth surface to facilitate cleaning. The swimming pool floors shall not slope more than 1 foot in 15 feet where the depth of water is less than 6 feet. The depth opposite the diving stands and spring boards shall not be less than 8 feet.

ART. II. The pool walls and bottom shall be plainly marked with transverse black lines at least 3 inches wide. These markings shall be spaced at intervals not greater than 20 feet.

ART. III. The depths of the water shall be plainly and distinctly shown at frequent intervals along the side and end walls.

ART. IV. The entire pool shall be surrounded by a raised concrete curb at least 2 inches high and 12 inches wide to serve as a clean place for bathers to sit, and to prevent entrance to the pool of drainage from the surrounding walks.

ART. V. All walks shall be at least 4 feet wide in the clear, of concrete, tile, or other impervious material, and shall slope at least one-half inch per foot to floor drains. All corners shall be rounded for ease in cleaning.

ART. VI. Inlets and outlets shall be designed to give the maximum uniformity of displacement and minimum amount of dead space or short circuiting.

ART. VII. Scum gutters shall be provided the entire length of all sides of the pool. They shall be provided with connections to the drain at intervals not greater than 10 feet. Gutter drainage shall be considered as sewage and disposed of as such. It shall not be returned to the pool or circulating system. Gutters shall be recessed into the wall and designed to prevent bathers from having easy access with hands, fingers, arms, or feet. Gutters or drains along the top or side of the wall, open and accessible to bathers, will not be permitted.

ART. VIII. There shall be at least 1 shower head for each 30 dressing rooms, and they shall be located so that no bather can go from the dressing room to the pool without passing through a shower room.

ART. IX. There shall be at least 1 toilet room for each 30 women's dressing rooms and at least 1 toilet room for each 60 men's dressing rooms. There shall be urinal space to accommodate at least 5 per cent of the capacity of the men's dressing rooms. Urinals shall be of such design as to prevent spattering of urine on the floor or feet of the bathers. Toilets and urinal rooms shall be located for ease in finding and shall be distinctly marked. Where public sewers are not available and outside toilets are necessary, they shall be of a design approved by the State board of health.

ART. X. Provision shall be made to prevent spectators and persons not dressed for bathing from entering on the walks used by bathers.

SEC. III. *Operation.*—ARTICLE I. The water in the pool and that applied to it shall at all times have a sanitary quality satisfactory to the State board of health. As a tentative standard, the following numbers shall be considered as a maximum for the water in any part of the pool: Total bacteria, 1,000 per cubic centimeter, incubated on agar for 24 hours at 37.5° C.; B. coli present in not more than 50 per cent of the lactose broth tubes incubated 24 hours with 1 cubic centimeter of the water.

(a) Fill and draw pools should be emptied, cleaned, and refilled at least weekly, and at any time when the weekly bathing load exceeds 20. In order to maintain satisfactory bacterial conditions, the pool shall be disinfected by an approved method daily between cleanings, or as often as deemed necessary by a duly appointed agent of the State board of health.

(b) In pools designed for replacement of pool water during use, by the addition of new water or purified pool water, the supply or refiltration system should have a capacity of at least 400 gallons per capita per day, and should flow constantly during the period of operation of the pool.

(c) Plans for refiltration and disinfection systems should be submitted to the State board of health for approval before being installed.

ART. II. Water in the pool shall at all times be clean, and sufficiently transparent under existing lighting conditions to enable a person standing at the side of the pool to distinctly see the bottom of the pool where the depth does not exceed 6 feet when the pool is not excessively agitated by bathers.

ART. III. All bathers must be required to take a shower bath before entering the pool. The shower water should be comfortably warm, and each shower head should be equipped with liquid soap, the containers of which should be so located and protected as to prevent their becoming broken and endangering bathers.

ART. IV. Dressing rooms, shower rooms, and toilets shall be ventilated and clean at all times.

ART. V. Safety appliances and equipment for rescuing and reviving drowning persons shall be provided. These should include life buoys, life hooks, and ropes.

ART. VI. At pools where a fee is charged, one or more life guards shall be on duty during the entire period of operation of the pool.

ART. VII. Bathing suits and towels rented by the pool management shall be thoroughly washed with warm water and soap after each use. The washing should be followed by rinsing in clean water to remove all traces of soap, and then by wringing or centrifuging to dewater the articles. Suits and towels must be thoroughly dried before reuse.

ART. VIII. The management of the pool shall have printed and posted in conspicuous places about the establishment placards informing the patrons of the requirements to which they are subject in the maintenance of a safe and sanitary pool.

ART. IX. No persons having a communicable disease, skin abrasions, or eruptions, eye, ear, nose, or throat infections, shall be permitted to use any swimming pool.

ART. X. No common combs or brushes shall be permitted in dressing rooms or pool areaways.

ART. XI. Where sanitary drinking fountains are provided, they shall be of a type approved by the State board of health.

ART. XII. The pool management shall keep a complete record of all pool operations and submit copies of same to the State board of health monthly. The following list shows the operations for which records should be kept for pools to which they apply:

1. Number of persons using the pool: To be recorded each day.
2. Number of bathers to whom bathing suits and towels are issued: To be recorded each day.
3. Complete emptying of pool: Show time of day when emptied, when refilled, and source if more than one source is used.
4. Partial emptying of pool: Show time and what depth of water is removed, and when and from what source it is refilled.
5. The quantity of new water added daily to make up for loss over scum gutters or otherwise.
6. Disposition of water removed.
7. The quantity of water passed from the pool through the refiltration system each day. Hours of operation of each circulating pump and filter each day. The capacity of each pump should be computed.
8. Time of washing each filter.
6. Chemicals used: Weight or quantity and time of application to pool water should be recorded. If applied continuously, time of starting and stopping apparatus should be recorded each day.

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VIRGINIA

Communicable Diseases — Reports of Cases — Placarding — Quarantine—Isolation — School Attendance — Burial — Disinfection — Fumigation — Control Measures for Specific Diseases. (Reg. Bd. of H., Dec. 7, 1922)

Physician's report of communicable diseases.—1. Every physician or any person having patients under his care and observation shall report immediately to the local or State health officer having jurisdiction, such report stating the name, address, color, sex, and age, any cases or suspected cases of the following diseases occurring in his practice, namely:

Asiatic cholera.
Acute anterior poliomyelitis.
Anthrax.
Cerebrospinal meningitis.
*Chancroid.
Chicken pox.
Conjunctivitis (pink eye).
Dengue.
Diphtheria.
Dysentery.
Epidemic influenza.
*Gonorrhea.
Hookworm disease.
Infantile diarrhea.
Infectious granuloma.

Leprosy.
Malaria.
Measles (all types).
Mumps.
Paratyphoid.
Plague.
Scarlet fever.
Smallpox.
*Syphilis.
Trachoma.
Tuberculosis.
Typhoid fever.
Typhus fever.
Whooping cough.
Yellow fever.

* A serial number may be substituted for name and address.

2. In addition to the above in such counties, cities, and towns as are without a health officer employed for his whole time, the physician shall also report monthly, or more frequently, as may be directed by the State health commissioner, to the State board of health the number of cases of the above named diseases occurring in his practice, and in cases of tuberculosis shall furnish such further information as shall be called for by the State health commissioner.

3. When any physician finds any of the above diseases to be unduly prevalent in his practice, he shall report the same immediately to the State board of health.

Premises to be placarded for all infectious diseases.—4. Every board of health of any county, city, or town shall keep on hand at all times a supply of placards for announcing the existence of acute anterior poliomyelitis (infantile paralysis), cerebrospinal fever (epidemic meningitis), diphtheria, scarlet fever, and smallpox. The size and wording of said placards must be approved by the State board of health. Whenever the attending physician knows of the existence of the aforesaid diseases, he shall immediately post placard of said disease at the entrance to the place where the patient is confined. The local health authorities or the State health commissioner are hereby empowered to designate any person to perform said duty in lieu of the attending physician. No one shall displace, deface, remove, or cover up any placard or notice thus posted until the quarantine is raised by the health official having jurisdiction.

* * * * *

SPECIAL REGULATIONS FOR CERTAIN DISEASES

SMALLPOX. *Diagnosis.*—9. As soon as the health officer having jurisdiction shall receive report of any case known or suspected of being smallpox, he shall satisfy himself that the necessary precautions are taken to prevent the spread of the disease. If the diagnosis is doubtful, he shall call on the other medical members of the local board of health for their opinion, and the opinion of the majority shall prevail as to the diagnosis. If the said members can not make a definite diagnosis, they shall call on the State board of health, the opinion of whose representative shall be final. Pending a definite diagnosis, a suspicious case should be strictly isolated.

Quarantine.—10. Immediately upon establishing a diagnosis of smallpox, a strict quarantine of the premises shall be instituted. All persons living in the same house shall be quarantined, unless they exhibit scars of successful vaccination recent enough to be protective, in the opinion of the health officer in charge. Those protected by vaccination shall be allowed to leave the premises after disinfection of their effects, but may not return until the quarantine is raised. Unvaccinated persons resident in the house shall be vaccinated and then quarantined for 14 days.

11. During the quarantine no person shall visit the premises except the health officer or other persons duly authorized so to do by the health officer. No goods, clothing, or any material whatsoever may be taken from the premises, unless authorized by the health officer and under such conditions as he may prescribe.

12. Quarantine for smallpox shall be raised by the health officer only when in his opinion all danger of infection from the cases is passed and after thorough disinfection of the premises and of all exposed material thereupon by the health officer or some one that he may designate.

Vaccination.—13. Persons not living on the premises who have been exposed to smallpox, and who are not, in the opinion of the health officer, protected by previous vaccination, shall be quarantined as though they had the disease, but if they submit to vaccination they may be permitted to go at large under such restrictions as the health officer may place upon them.

SCARLET FEVER. *Quarantine and notification.*—14. As soon as a diagnosis of scarlet fever or suspected scarlet fever is made by the attending physician, he shall notify the parent, householder, or other responsible person of the existence of scarlet fever, and quarantine shall begin immediately without further action. The attending physician shall then notify the health officer of the existence and location of the case. The patient shall be placed, and shall remain until released (as hereinafter provided), in strict isolation, that is to say, the patient and nurse shall occupy a room, or rooms, to themselves, as far away from the rest of the family as possible. No other persons except the attending physician or the health officer shall enter this room or these rooms during the period of quarantine. No article of food, clothing, or of anything that can carry the germs of disease shall be taken from the isolated room or rooms except after being properly disinfected under the direction of the physician or health officer.

Movements of exposed persons.—15. During the period of quarantine all persons under 15 years of age resident on the premises shall be confined to the premises and may not leave. Adults, other than those excepted below, may attend their regular vocation, but shall not enter any school, church, Sunday school, public meeting, or other place which children frequent or attend. Adults engaged in any industry connected with the preparation or handling of milk, or food, or

with any factory, school, office, shop, store, or other place where persons under 15 years of age are or may be employed or may congregate shall not work at such places during the period of quarantine.

Quarantine may be raised.—16. (a) When the case has recovered and peeling of the skin and all discharges from the throat and nose have ceased, but not in any case until at least four weeks from the date on which the eruption appeared on the patient.

(b) All rooms and goods exposed to the infection shall be disinfected and the quarantine terminated. Disinfection shall be in accordance with paragraphs Nos. 73 to 79, inclusive.

Isolation of exposed children.—17. Children exposed to scarlet fever but who have not developed symptoms of the disease may, in the discretion of the health officer, be isolated elsewhere than on the infected premises. If they do not develop scarlet fever, they may be released by the health officer after seven days.

Diphtheria. Quarantine and notification.—18. As soon as a diagnosis of diphtheria or suspected diphtheria is made by the attending physician, he shall notify the parent, householder, or other responsible person of the existence of diphtheria, and quarantine shall begin immediately without further action. The attending physician shall then notify the health officer of the existence and location of the case. Cases of diphtheria shall be isolated in exactly the same manner as those of scarlet fever, and rules 14, 15, and 16b, as hereinbefore laid down, shall apply. Any person showing the presence of the germs of diphtheria shall be considered a case whether or not active symptoms are present.

19. Quarantine for diphtheria shall not be raised until at least one negative culture from the nose and throat of the patient has been obtained, but in no case under 14 days, unless two successive negative cultures have been obtained. In the event it is not practicable to obtain release cultures, quarantine may be raised four weeks after the onset of the case. Likewise, all children under 15 years of age shall be confined to the premises until the termination of the case, except as provided in paragraph No. 20. All release cultures must be examined either by the laboratory of the State board of health or a laboratory approved by the State board of health.

20. Children who have been exposed to diphtheria but who have not developed symptoms of the disease and who have negative cultures from the nose and throat may, in the discretion of the health officer in charge, be isolated elsewhere than on the infected premises, and, if they show no signs of diphtheria at the expiration of three days, may be then released from quarantine.

21. The above requirements shall not apply to any case having skin lesions of diphtheria only, but with no infection of either nose or throat, provided the local health officer is satisfied that the individual will keep these lesions thoroughly protected and not expose others to the infection.

Cerebrospinal fever (epidemic meningitis).—22. As soon as a diagnosis of cerebrospinal fever is made by the attending physician, he shall notify the parent, householder, or other responsible party of the existence of the cerebrospinal fever, and quarantine shall begin immediately without further action. The attending physician shall then notify the health officer of the existence and location of the case. Cases of cerebrospinal fever shall be isolated in the same manner as those of scarlet fever, and rules 14, 15, and 16b, as hereinbefore laid down, shall apply.

23. Quarantine for cerebrospinal fever shall not be raised until three weeks after the appearance of the first symptoms.

Acute anterior poliomyelitis (infantile paralysis).—24. As soon as a diagnosis of acute anterior poliomyelitis is made by the attending physician, he

shall notify the parent, householder, or other responsible party of the existence of acute anterior poliomyelitis, and quarantine shall begin immediately without further action. The attending physician shall then notify the health officer of the existence and location of the case. Cases of acute anterior poliomyelitis shall be isolated in the same manner as those of scarlet fever, and rules 14, 15, and 16b, as hereinbefore laid down, shall apply.

25. Quarantine for acute anterior poliomyelitis shall not be raised until three weeks after the appearance of the first symptoms.

MEASLES. *Quarantine and notification.*—26. As soon as a diagnosis of measles is made by the attending physician, he shall notify the parent, householder, or other responsible person of the existence of measles, and quarantine shall begin immediately without further action. The attending physician shall then notify the health officer of the existence and location of the case. Persons having measles shall not be allowed to leave the premises where they are quarantined until all active symptoms have ceased, and in no case until 12 days after the appearance of the eruption. No child who has not had measles and who has been exposed to that disease shall be allowed to go to any school, church, or Sunday school, or other public place, or to play with other children until 14 days have elapsed after such exposure. Quarantine in measles shall only include confinement to the premises and exclusion from the premises [of] all persons who have not had measles.

WHOOPING COUGH. *Movements of infected and exposed persons.*—27. Persons having whooping cough shall not come or be brought closer than within 30 feet of any person who has not had the disease. They shall wear on the left arm a band of green cloth. These rules shall apply for four weeks after the patient begins to whoop, provided the paroxysmal cough has ceased by the expiration of that time. Persons who have not had whooping cough and who have been exposed to it shall remain under the same restrictions as active cases for a period of 14 days.

TYPHOID FEVER, PARATYPHOID FEVER, AND DYSENTERY.—28. Persons infected with typhoid, paratyphoid, or dysentery, or in charge of a patient having any of these diseases, shall so dispose of the excreta or other infectious material as to prevent danger to any other person.

29. The physician treating a case of typhoid, paratyphoid, or dysentery shall give proper instructions how to carry out the above provisions.

SCHOOL REGULATIONS. *Children excluded from school.*—30. Children shall not be permitted to attend any school when infected with or suspected of being infected with any of the following diseases:

Acute sore throat.
Cerebrospinal fever (epidemic meningitis).
Chicken pox.
Diphtheria.
Epidemic influenza.
German measles.
Impetigo contagiosa.
Infantile paralysis.
Measles.

Mumps.
Pediculosis.
Ringworm.
Scabies.
Scarlet fever.
Smallpox.
Trachoma.
Tuberculosis.
Whooping cough.

Duty of teachers and school nurses.—31. When a teacher or school nurse suspects a child of having one of the above diseases, he shall at once notify the family and the health officer having jurisdiction. The latter shall see that the family has the child examined by a physician and a diagnosis established.

Exclusion because of diseases at home.—32. Children shall not be admitted to school from homes in which there are cases of any of the following diseases:

Cerebrospinal fever.

Diphtheria.

Infantile paralysis.

Measles, unless the child has had the disease or until 14 days after known exposure.

Scarlet fever.

Smallpox.

Whooping cough, unless the child has had the disease.

Readmission of excluded children.—33. Children who have been excluded from school for actual or suspected communicable diseases shall not be readmitted except upon the following conditions:

Acute sore throat: Not until all active symptoms have ceased.

Cerebrospinal fever: Not until released from quarantine as provided in paragraph 23.

Chicken pox: Not until all scabs have disappeared.

Diphtheria: Not until released from quarantine as provided in paragraph 19.

Epidemic influenza: Not until all active symptoms have ceased.

Impetigo contagiosa: Not until sores have been properly treated and covered with antiseptic ointment.

Infantile paralysis: Not until released from quarantine as provided in paragraph 25.

German measles: Not until all active symptoms have ceased and in no case until eight days after the appearance of the eruption.

Measles: Not until released from quarantine as provided in paragraph 26.

Mumps: Not until one week after the disappearance of swelling.

Pediculosis: Not until cure is complete.

Ringworm: Not until sores have been properly treated and covered with antiseptic ointment.

Scabies: Not until cure is complete.

Scarlet fever: Not until released from quarantine as in paragraph 16.

Smallpox: Not until released from quarantine as provided for in paragraph 12.

Trachoma: Not until cure is complete.

Tuberculosis: Not until bacteriological examination of three successive specimens shows absence of the infection in the sputum.

Whooping cough: Not until released from quarantine as provided in paragraph 27.

* * * * *

Burials and funerals.—50. The body of anyone dead from anthrax, Asiatic cholera, cerebrospinal fever, diphtheria, leprosy, plague, scarlet fever, smallpox, typhoid fever, typhus fever, shall be prepared for burial by washing the body with an approved disinfectant solution and completely enveloping it in a cloth or garments thoroughly saturated with such solution. The casket, coffin, or box containing a body with any of the above-mentioned diseases, after having once been sealed, shall not be opened for any purpose whatsoever except by the express permission of the local health officer and under such conditions as he may prescribe. Public funerals shall not be allowed for anyone dead of the above-mentioned diseases.

* * * * *

Disinfection.—73. Sheets, towels, linens, and other white goods shall be disinfected by boiling 10 minutes or by soaking for 1 hour in a suitable disinfectant solution before being washed or laundered. The following solutions may be used:

(a) Carbolic acid: Five per cent solution (one-third of a pint to one gallon of water).

(b) Formalin: Ten per cent solution (two-thirds of a pint to one gallon of water).

(c) Bichloride of mercury: One to one thousand.

(d) A proprietary disinfectant conforming to the following standards may also be used:

Disinfectant must be readily miscible with water.

Must have a phenol coefficient of not less than one as determined by the method of the United States Hygienic Laboratory.

Must carry on the package correct and clear directions for its use.

74. Bedding (mattresses, pillows, quilts, etc.) and woolen goods should, when practicable, be treated as in paragraph 73, otherwise they should have each side exposed to strong sunlight for at least five hours on each of two days. In cases of anthrax, plague, and smallpox, such goods must either be soaked in a disinfectant solution (par. 73) or else burned. Straw or shuck ticks may be emptied, the contents burned, and the tick treated as in paragraph 73 or else the entire mattress must be burned.

75. China, glassware, crockery, and other tableware shall be disinfected by immersion in boiling water.

76. Rags, toys, and other materials of small value that may be contaminated by the discharges from any of the diseases named in paragraph 1 (except malaria, typhus, and yellow fever) shall be burned or disinfected as in paragraph 73.

77. Hands or other infected parts of the body shall be disinfected by immersion in one of the solutions named in paragraph 73.

78. Woodwork, floors, bedsteads, etc., shall be disinfected by wiping thoroughly with a disinfectant solution, paragraph 73.

79. Sputum from cases of cerebrospinal fever, diphtheria, scarlet fever, tuberculosis, must be disinfected. Sputum in paper cups or on gauze or paper must be burned. Handkerchiefs soiled with discharges from nose or mouth must be handled as in paragraph 73. Vessels used to receive sputum must contain one of the following disinfectant solutions:

(a) Carbolic acid: Five per cent solution (one-third of a pint to one gallon of water).

(b) Formalin: Ten per cent solution or stronger.

(c) Chlorinated lime (fresh): Five per cent solution (6 ounces to 1 gallon).

(d) A proprietary disinfectant of the cresol type and conforming to paragraph 73d.

80. Urine in cases of typhoid and paratyphoid fever must be disinfected by adding one-half volume of one of the disinfectant solutions named in paragraph 79.

81. Feces (bowel discharges) in cases of Asiatic cholera, dysentery, and typhoid or paratyphoid fever must be disinfected by completely covering with at least an equal volume of one of the disinfectant solutions named below. The feces must then be buried unless a proper sewer is available. The following solutions are suitable:

(a) Quicklime: Use an amount equal to one-fourth of the volume of the stool and add sufficient hot water to cover all.

(b) Chlorinated lime: Five per cent solution.

(c) Formalin: Ten per cent solution.

(d) Carbolic acid (preferably crude): Five per cent solution.

(e) Cresols or coal-oil disinfectants complying with standards in paragraph 73d.

Fumigation.—82. Fumigation after cases of smallpox should be done as follows:

The room must be made tight, all cracks and crevices must be well closed by pasting paper over them or by caulking with suitable material of some kind. Furniture must be moved out from walls, all drawers, doors, etc., opened. The temperature of the room to be fumigated should not be below 60° F. The gas may be liberated in several ways:

(a) For each 1,000 cubic feet use 1 quart of formalin, one-half pound of potassium permanganate. Put the permanganate in a bucket and pour on the formalin.

(b) Formaldehyde candles may be used, provided some arrangement is made to liberate ample moisture at the same time.

The room must be kept closed after use of either method for not less than six hours.

(c) Sulphur fumigation may also be used provided there is plenty of moisture present. Three pounds of sulphur must be used for each 1,000 cubic feet. A large pan of actively boiling water would furnish the necessary moisture. The room so fumigated must remain closed for 12 hours.

After all fumigation the room should be thoroughly aired and sunned and the directions in paragraph 78 carried out.

Venereal Diseases—Examination and Treatment for, of Inmates of Penal Institutions, Insane Hospitals, and Colonies for the Epileptic and Feeble-Minded. (Ch. 315, Act Mar. 20, 1922)

1. That all persons upon admission as inmates to the State penitentiary, State penitentiary farm, or to any branch prison, or to any of the reformatories of the State, or to any of the hospitals for the insane or colonies for the epileptic and feeble-minded, shall be examined as to the existence or nonexistence of any venereal disease, the presence of syphilis to be detected as nearly as possible by the Wassermann test; and any such person found to have a venereal disease shall be properly treated, and, if it be possible, cured.

Tuberculosis Clinical Unit of Physicians and Nurses—Organization. Publications on Tuberculosis—Printing. (Ch. 247, Act Mar. 15, 1922)

1. That a clinic unit of doctors and nurses shall be added to the existing organization for the tuberculosis education and that there is hereby appropriated to the State board of health out of any money in the treasury not otherwise appropriated, for the year ending February 28, 1923, the sum of \$15,000, and for the year ending February 29, 1924, the sum of \$15,000, the said sums to be used by the State board of health for the organization of such clinical unit and the printing of placards, pamphlets, and other regular publications.

Pavilions for Tuberculous Young Children—Erection of, at State Tuberculosis Hospitals. (Ch. 246, Act Mar. 15, 1922)

Whereas science has demonstrated that tuberculosis infection occurs in childhood and that by proper care of young children with active disease a cure may be effected and these children so infected returned to the citizen body useful and happy citizens; and

Whereas there are constant applications at our sanatoria for the admission of young children suffering with such disease, and there has been an average of 20 to 30 children constantly at the sanatoria on adult pavilions; and

Whereas there are now no suitable buildings at Catawba or Piedmont sanatoria for the treatment of these young children and their recovery is jeopardized by such lack of adequate pavilions: Therefore

1. *Be it enacted by the general assembly of Virginia*, That such a pavilion as meets this need shall be erected at Catawba Sanatorium and that the sum of \$25,000, or so much as may be necessary, be and the same is hereby appropriated out of the money in the treasury not otherwise appropriated to Catawba Sanatorium to be used for this object and that such a pavilion be erected at Piedmont Sanatorium, and that the sum of \$20,000, or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated to Piedmont Sanatorium to be used for this object.

Impounding of Water—Regulation of, so as to Prevent Malaria. (Reg. Bd. of H., Dec. 7, 1922)

Control of impound waters.—8. In those sections of the State where malaria is prevalent no person or corporation shall impound water without taking precautions to control the breeding of the malaria-carrying mosquito (*Anopheles*), according to the principles as laid down by the United States Public Health Service, which principles are as follows:

(a) All laborers employed in the construction of the dam and the impounding of the water shall be housed in properly screened houses and such steps taken by quinine administration and control of mosquito production in the vicinity of the camps as may be necessary to prevent the infection of malaria mosquitoes and the introduction of malaria into this locality.

(b) In the area to be occupied by the reservoir, its branches and indentations, all brush, trees, undergrowth, logs, and similar objects, which if not removed would float on the surface of the impounded water and thus constitute conditions favorable to the production of malaria mosquitoes, shall be removed, burned, or otherwise disposed of prior to the closing of the dam and impounding of the water. All stumps of trees or underbrush shall be cut sufficiently near to the surface of the ground to prevent their standing above the surface of the water at any and all stages of the water, and thus holding drift and floatage.

(c) The formation of log jams and the collection of drift and floatage in narrow valleys or indentations and along the banks of the reservoir where wave action is absent or weak shall be prevented during the mosquito season.

(d) In so far as practicable, the water level in the reservoir shall be fixed so as to reduce to a minimum shallow, submerged areas on which aquatic plants will grow and reach the surface of the water.

(e) When practicable, the water level in the reservoir shall be held 3 feet above normal high water level from December 1 to June 1, but where this method of clearing the banks is impracticable, the entire shore line of the reservoir for 15 feet back from normal high water level shall be cleared of all brush, trees, stumps, logs, and undergrowth before the water is impounded.

(f) The reservoir shall be adequately stocked with top minnows which feed upon mosquito larvae, and every effort shall be made to protect them against their enemies and secure their successful propagation.

(g) All separate pools and seepage places created during the construction of the dam or by the impounding of the water, whether adjacent to the reservoir or situated in the stream bed below the dam, shall be filled, ditched, oiled, or stocked with top minnows (*gambusia*), in order to prevent mosquito production.

(h) Where the above measures fail to control breeding, other control measures must be used, such as oiling, use of larvacide (*Paris green*, etc.), drainage, or other control measures.

(i) Wherever an impounded water project is to be located the licensee shall carry out such measures as a representative of the State board of health, designated by the commissioner, may determine to be necessary in each case to prevent pollution of the drainage shed and the water of the reservoir with excreta or other refuse matter likely to cause or aggravate a nuisance or danger to the health of persons living near the reservoir or dependent in any way upon the water in or flowing from the reservoir.

Maternity Hospitals—Definition—Licensing—Inspection—Requirements to be Observed—Keeping of Records—Making of Reports. (Ch. 486, Act Mar. 27, 1922)

SECTION 1. Any person who receives for care or treatment during pregnancy or during delivery, or within 10 days after delivery, more than one woman within a period of one year, except women related to such person by blood or marriage, shall be deemed to maintain a maternity hospital. The word "person" where used in this act shall include individuals, voluntary associations, partnership corporations [sic], and partnerships.

SEC. 2. The State board of public welfare may grant a license for the conduct of any maternity hospital that is for the public good and is conducted by a reputable and responsible person. No maternity hospital shall receive a woman for care therein without first obtaining a license to conduct such hospital from the State board of public welfare. No such license shall be issued unless the medical staff of the hospital includes one or more resident registered nurses and one or more licensed physicians, and the premises are in fit sanitary condition and the application for such license has been approved by the local board of health. The license may be granted for a period not exceeding one year, and shall state the name of the licensee, the particular premises in which the business may be carried on, and the number of women that may be treated or cared for therein at any one time. The license shall be kept posted in a conspicuous place on the licensed premises. No greater number of women shall be kept at one time than is authorized by the license; and no woman shall be kept in a building or place not designated by the license without the consent of the State board of public welfare. A record of every license so issued shall be kept by the State board of public welfare, which shall forthwith give notice to the State board of health, and to the board of health of the county or city in which the licensee resides, of the granting of such license and the term thereof. The State board of public welfare may revoke a license so issued when a provision of this act is violated, or when, in the opinion of said board, such hospital is maintained without due regard to the sanitation and hygiene, or to the health, comfort, or well-being of the inmates or infants born to such inmates: *Provided, however*, That any such licensee shall have the right of appeal, within 10 days after receiving notice of the revocation of such license, to the corporation or hustings court of the city or to the circuit court of the county wherein such hospital is situated. The application for such appeal shall operate as a supersedeas to such order of revocation. From any final order or judgment of such corporation, hustings, or circuit court an appeal, writ of error, or supersedeas may be applied for to the supreme court of appeals in the manner prescribed by law.

SEC. 3. The State board of public welfare shall prescribe and furnish forms for the registration and record of persons cared for in any such hospital: *Provided, however*, That in no case shall the true name of the patient be required to be stated.

SEC. 4. Every birth occurring in a maternity hospital shall be attended by a legally qualified physician or a competent nurse. The licensee conducting such hospital shall within 24 hours after a birth occurs therein, in addition to the report

required to be filed with the State registrar of vital statistics, make a written report thereof to the State board of public welfare and local board of health, giving the sex of the child and such additional information, when obtainable, as the State board may require. The licensee shall immediately after the death in such maternity hospital of a woman, or an infant born therein, notify the local board of health of the city or county in which such hospital is located.

SEC. 5. The officers and agents of the State board of public welfare and the local board of health [of the city or county] in which a licensed hospital is located shall visit and inspect such hospital at least once in every three months. Moreover, the State board of health, through its officers or agents, may also inspect every such hospital when deemed necessary by said board. The licensee shall give all such information to such inspectors and afford them every facility for viewing the premises and seeing the inmates. The said inspectors shall make report of conditions in said hospital, and such report shall be kept by the State board of public welfare.

SEC. 6. No maternity hospital shall engage in the business of child placing. Any child born in any maternity hospital who is illegitimate and whose father is unknown and whose mother is unable to care for such child, or any child who for any reason will be left destitute of support, shall, through proper court proceedings, be committed to the State board of public welfare or to any agency licensed to engage in the business of child placing.

SEC. 7. On a prosecution under the provisions of this act, a defendant who relies for defense upon the relationship of any woman or infant to himself shall have the burden of proof on that issue.

SEC. 8. No officer, or agent, or employee of the State board of public welfare, the State board of health, or the local board of health of the city or county where such licensed hospital is located, or any person who has held such position, shall, directly or indirectly, disclose the contents of the records herein provided for, except upon inquiry before a court or justice, or by order of a court or justice, or upon a coroner's inquest, or for the information of the State board of public welfare, the State board of health, or the local board of health of the city or county in which said hospital is located: *Provided, however,* That nothing herein shall prohibit the State board of public welfare from disclosing such facts with the consent of the parents of said child to such persons as may be in the interest of the child.

SEC. 9. Every person who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$100 or by imprisonment in jail for not more than one year, or by both such fine and imprisonment.

SEC. 10. Sections 1925 to 1930, inclusive, of the Code of Virginia are hereby repealed.

Children's Boarding Houses or Nurseries—Definition—Licensing—Keeping of Records—Making of Reports—Inspection. (Ch. 487, Act Mar. 27, 1922)

SECTION 1. Any person who has in his custody or under his control at any one time three or more children, of different children's parents, under the age of 6 years unattended by a parent or guardian except children related to him by blood or marriage, for the purpose of providing them with care, food, or lodging, by the day, week, or month, shall be deemed to maintain a children's boarding house or nursery. The word "person" where used in this act shall include individuals, partnerships, voluntary associations, and corporations: *Provided, however,* That this act shall not be construed to relate to any institution under the management of the State board of public welfare or to its officers or agents.

SEC. 2. The State board of public welfare may grant a license to maintain any children's boarding house or nursery that is for the public good and is conducted by a reputable and responsible person. No person shall receive a child for care in any such boarding house or nursery without first obtaining such license from the State board of public welfare. Every application for such license shall first be approved by the board of health of the county or city in which such boarding house or nursery is to be maintained, and no such license shall be issued unless the premises are in fit sanitary condition. The license shall be granted for a term not exceeding one year, shall state the name of the licensee, the particular premises in which the business may be carried on, the number of children that may be boarded or cared for at one time, and shall be kept posted in a conspicuous place on the licensed premises. No greater number of children shall be kept at one time on the premises than is authorized by the license, and no child shall be kept in a building or place not designated in the license. A record of the licenses issued shall be kept by the State board of public welfare, which shall forthwith give notice to the State board of health and to the board of health of the county or city in which the licensee resides of the granting of such license and terms thereof. The State board of public welfare may revoke a license so issued when a provision of this act is violated, or when, in the opinion of said board, such boarding house or nursery is maintained without due regard to the health, comfort, or morality of the inmates thereof. The board shall note such revocation upon the face of the record of such license and shall give written notice of the revocation to the licensee and shall notify the board of health of the city or county in which said boarding house or nursery is situated: *Provided*, That any such licensee shall have a right of appeal within 10 days from any such order of revocation to the juvenile and domestic relations court of the city or the county wherein such boarding house or nursery is situated.

SEC. 3. The State board of public welfare shall prescribe and furnish forms for the registration and records of children cared for in such boarding houses. The record of each child shall state its name, the date of its reception together with the name and address of the parents and the name and address of the persons bringing the child to the home, the date of its discharge and the name and address of the person to whom it was delivered on discharge, and such other information as the State board shall prescribe.

SEC. 4. The licensee of any such boarding house shall within three days of the reception of any child for boarding or lodging, and within three days of its discharge, notify the State board of public welfare or local board of health or local health officer, giving the name, age, and address of the child, its parents, and the person from whom or by whom respectively it was received. Notice of the death of any child in such boarding house shall be sent immediately to the local board of health and to the State board of public welfare.

SEC. 5. The State board of public welfare, the State board of health, and the local board of health of the city or county in which a licensed boarding house or nursery is located shall, through their officers or agents, visit and inspect such place at least once in every three months. They may at any time visit such place and call for and examine the records which are required to be kept and inquire into all matters concerning such place and the children therein. The licensee shall give all information to such inspectors and afford them every facility for viewing the premises and seeing the inmates. The said inspectors shall make reports of conditions in said places and such report[s] shall be kept by the State board of public welfare.

SEC. 6. No officer or agent or employee of the State board of public welfare, or the local board of health of the city or county where such licensed boarding

house or nursery is located, or any person who has held such position, shall, directly or indirectly, disclose the contents of the records herein provided for, or facts learned about the children or their parents, except upon inquiry before a court or justice, or by order of such court or justice, at a coroner's inquest, or for the information of the State board of public welfare, or the State board of health, or the local board of health of the city or county in which said boarding house or nursery is located: *Provided, however,* That nothing herein shall prohibit the State board of public welfare from disclosing such facts with the consent of the parents of said child to such persons as may be in the interest of the child.

SEC. 7. Every person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$100, or by imprisonment in jail for not more than one year, or by both such fine and imprisonment.

Schools—Sanitary Requirements. (Reg. Bd. of H., Dec. 7, 1922)

Air space and ventilation.—34. Every building used for school purposes, public or private, shall comply with the State law regarding the amount of cubic space per pupil and amount of fresh air to be supplied. (Section 674, Code of Virginia.)

35. The air in any schoolroom shall be kept at all times in a wholesome condition, and exercises shall be suspended as often as necessary in order to renew the air in any room the ventilation of which is defective.

Sweeping and cleaning.—36. No schoolroom shall be swept until all school exercises have been concluded for the day.

37. The floor of a schoolroom shall not be swept without first having been sprinkled with water or covered with damp sawdust, dustless floor powder, or damp paper, unless the floor has recently been oiled. All sweepings must be removed daily from the schoolroom.

38. Where there is a cold-air register under the stove, so located as to be a receptacle for trash, this must be cleaned frequently enough to avoid its blowing dirt or dust into the schoolroom.

39. The furniture, woodwork, and floor of a schoolroom in the vicinity of where a pupil has been found with an infectious disease shall be thoroughly cleansed.

Drinking water.—40. Every school, public or private, shall be furnished at all times, when in use, with an adequate supply of pure, fresh drinking water. This shall be running water wherever such water is available. If running water is not available, a tank or cooler shall be supplied, furnished with a spigot or bubbler.

Individual drinking cups.—41. If no satisfactory bubbling fountain be provided at the school, every pupil in attendance shall be required to have and to use an individual cup which shall be for his exclusive use. The use of the common drinking cup at any school is hereby forbidden under all circumstances.

Source of supply.—42. The well, spring, or cistern from which water is drawn for drinking purpose at the school must be safely protected against pollution.

Sanitary privies at school.—43. Every building used for public school purposes shall be furnished with two closets, one for males and one for females, separate as far as possible from each other and so arranged as to give the greatest possible privacy to persons using same. School buildings to which water and sewerage are available shall be provided with water closets and connected with sewerage system or with a satisfactory sewage disposal plant. Where water and sewerage are not available, buildings shall be provided with privies, in which the excrement shall not endanger a source of drinking water and shall not be accessible to flies and animals. Such privies shall be at all times maintained in a clean and sanitary condition. A urinal shall be provided at the privy for males.

Hotels—Definition—Inspection—Correction of Improper Conditions—Sanitary Requirements. (Ch. 20, Act Feb. 17, 1922)

1. That sections 1585, * * * 1589, 1590, 1592, 1593, and 1595 of the Code of Virginia be amended and reenacted so as to read as follows:

SEC. 1585. *Definitions.*—A hotel within the meaning of this chapter is any inn or public lodging house of more than five bed rooms where transient guest[s] are fed or lodged for pay in this State. A transient guest is one who puts up for less than one week at such hotel.

* * * * *

SEC. 1589. *Inspection by the State dairy and food commissioner.*—For the purpose of carrying out the provisions of this chapter, the State dairy and food commissioner is authorized and required to inspect, through his officers and agents, all hotels in the State at least once every year, and as often thereafter during the year as may be deemed necessary. He shall see that every part of said hotel and immediate surroundings are sanitary, and that all utensils used in the hotel, particularly those used in the preparation and serving of food, are in all respects clean.

SEC. 1590. *Duty of dairy and food commissioner; certificate posted; inspection.*—It shall be the duty of the State dairy and food commissioner to see that all of the provisions of this chapter are enforced and complied with. If upon inspection of any hotel it shall be found that this law has been fully complied with, the State dairy and food commissioner shall issue a certificate to that effect to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel. The inspectors of the dairy and food commissioner are empowered and authorized to enter any hotel at all reasonable hours to make such inspection, and it is made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel, and render all aid and assistance necessary to enable the inspector to make a full, thorough, and complete examination thereof; but no inspector shall violate the privacy of any guest in said rooms without his consent.

SEC. 1592. *Commissioner must notify owners, et cetera, of a hotel that it fails to comply with the law.*—It shall be the duty of the State dairy and food commissioner, upon ascertaining by inspection or otherwise that any hotel is being carried on contrary to any of the provisions of this chapter, to notify the manager, or proprietor, in writing, in what respect it fails to comply with the law, and requiring such person, within a reasonable time, to be fixed by the said dairy and food commissioner, to do or cause to be done the things necessary to make it comply with the law, whereupon such proprietor or manager shall forthwith comply with such requirements.

SEC. 1593. *Obstructing an inspector; punishment.*—Any owner, manager, agent, or person in charge of a hotel, or any other person who shall willfully obstruct, hinder, or interfere with an inspector in the proper discharge of his duty or who shall willfully fail or neglect to comply with any of the provisions of this chapter after notice as aforesaid, shall be guilty of a misdemeanor, and upon conviction thereof be fined not exceeding \$100. If, upon a return visit of inspection to a hotel that has previously failed to comply with the law and has received one notice thereof, the inspector shall find that the law is still being violated, he shall without further notice prosecute the proprietor, manager, or person in charge. In addition thereto, he may in his discretion, order the hotel closed for such length of time as may be necessary to put same in sanitary condition.

SEC. 1595. *Hotel to be kept clean; receptacles of water to be protected.*—The proprietor of every hotel shall keep the same clean and in a sanitary condition, and all wells, pumps, cisterns, tanks, and other sources or receptacles from which

water is taken to be drunk by the guests shall be effectually protected against human, animal, or insect contamination.

2. Section 1591 of the Code of Virginia is hereby repealed.

Hotels and Restaurants—Screening—Protection of Water Supply. (Reg. Bd. of H., Dec. 7, 1922)

47. *Fly screens.*—The owner, proprietor, or lessee of every watering place, hotel, inn, restaurant, or public lodging house in Virginia shall place screens adequate for protection against flies in every window and door of all kitchens and dining-rooms.

48. *Water supply.*—Every such owner, proprietor, or lessee shall prevent contamination of the springs, wells, cisterns, and reservoirs from which the drinking water furnished the guests is drawn.

Food Establishments—Employees Required to be Free from Communicable Diseases. (Reg. Bd. of H., Dec. 7, 1922)

49. *Employees handling food.*—No person shall employ nor shall employment be accepted by any person who has active pulmonary or laryngeal tuberculosis, active gonorrhea, open lesions of syphilis, or who is infected with, or suspected of being infected with, Asiatic cholera, dysentery, paratyphoid fever, typhoid fever, or any other disease that may be transmitted by food, in a hotel, restaurant, dairy, bakery, boarding house, nor shall such a person be connected in any way with the handling of exposed food for other persons. Any health official having jurisdiction may require any person so employed and suspected of having any of the above-mentioned diseases to submit to a complete examination in order to determine the presence of such a disease, and shall prohibit such person from engaging in the handling of food supplies pending the results of the examination.

Human Excrement—Sanitary Disposal. (Reg. Bd. of H., Dec. 7, 1922)

Prohibition of soil pollution.—5. Every house or other place used as a human habitation in the State, every place of business and every pleasure, recreation, or construction camp, shall be provided with a decent closet or privy where human excrement is so disposed of that the excrement can not endanger a source of drinking water and can not be accessible to flies or animals.

6. No person, firm, or corporation shall maintain or permit on premises owned by him any arrangement for the disposal of human excrement which may possibly endanger a source of drinking water or be accessible to flies or animals.

7. No person shall deposit any human excrement upon the surface of the ground or in any place where it may be exposed to flies or animals.

Local Registrars of Vital Statistics—Designation—Penalty for Failure or Neglect to Perform Duties. (Ch. 5, Act Feb. 10, 1922)

1. That section 1564 of the Code of Virginia be amended and reenacted so as to read as follows:

SEC. 1564. *Local registrars designated; failure to perform duties; penalty.*—In cities the principal executive officer of the local board of health shall be the local registrar of vital statistics, and in towns and magisterial districts the State registrar shall appoint a suitable and proper person to be the local registrar for such town or district, or portion of such town or district, as said registrar may designate.

Any local registrar who fails or neglects to discharge efficiently the duties of his office, as laid down in this chapter, or who fails to make prompt and complete returns of births and deaths, as required thereby, shall be forthwith removed from his office of registrar by the State registrar, in addition to any further penalties that may be imposed under other sections of this chapter for failure or neglect to perform his duty.

Deaths—Duties of Undertakers Relative to Registration of. (Ch. 441, Act Mar. 27, 1922)

1. That section 1569 of the Code of Virginia be amended and reenacted so as to read as follows:

SEC. 1569. Duties of undertaker.—The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurs, and for securing a burial or removal permit, prior to any disposition of the body, except as otherwise provided in this chapter. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, giving the name and address of his informant. He shall then present the certificate to the attendant physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in the two preceding sections. He shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring or otherwise disposing of the body; or he shall dispose of the transit permit as provided by law for the transportation of corpses in this State when shipped by a transportation company, said permit to accompany the corpse to its desired destination, and if the burial shall take place within this State, the removal permit shall be delivered to the sexton or other person in charge of the place of burial.

Any dealer, carpenter, or other person who shall sell a coffin for the burial of a dead person shall deliver to the purchaser a certificate of death filled out as completely as possible, and instruct the purchaser, that after supplying any omitted information either statistical or medical, to deliver said certificate to the local registrar of the district in which the death occurred, and obtain from the said registrar a burial or transit permit before interment, removal, or other disposition of said body is made.

If for good reason the doctor's or coroner's certificate of death, or that of the person acting as coroner, cannot be obtained, the purchaser or person acting as undertaker shall file with the local registrar a provisional certificate of death, upon which the registrar shall issue a burial or transit permit on condition that a completed certificate of death will be filed within 10 days with the registrar of the district in which the death occurred.

Each dealer, carpenter, or other person selling coffins shall furnish the State registrar at the end of each month a list of sales for the month of coffins in cases in which death certificates have not been filed with the local registrar.

This list must include the names and address[es] of the purchasers, names, color, age, and sex of deceased, and dates of deaths.

Barber Shops, Hair-Dressing Parlors, and Public Bathhouses—Sanitary Requirements. (Reg. Bd. of H., Dec. 7, 1922)

The following regulations shall be enforced for barbers and barber shops, hair dressers, hair-dressing parlors, and public bathhouses:

51. No person with any disease of the skin of the face shall be shaved in a public barber shop.

52. Barbers must wash their hands thoroughly with soap and water before attending any person.

53. No alum or other astringent shall be used in stick form. If used at all to stop the flow of blood, it must be applied in the form of powder. The use of powder puffs is prohibited.

54. No towel shall be used for more than one person without being laundered or sterilized. The use of sponges is prohibited.

55. Mugs and shaving brushes must be thoroughly washed in hot water after use on each person.

56. Combs, razors, clippers, and scissors shall be thoroughly cleansed after every separate use thereof.

57. Floors must be swept or mopped every day, and all furniture and woodwork kept free from dust.

58. Running water shall be provided wherever it is possible to be had.

59. All bathtubs shall be thoroughly cleansed with soap and water after each separate use.

60. All tools or instruments used by barbers outside the shop in serving any person suffering from infectious or contagious diseases are required to be thoroughly and efficiently disinfected with 15 per cent formaldehyde or by boiling immediately after using the same.

61. No person suffering from any infectious or contagious disease, including tuberculosis or venereal diseases, shall serve any person in any barber shop, school, public bathroom, or bathhouse, or hair-dressing parlor in this State.

62. A copy of these regulations is to be hung in a conspicuous place in each barber shop, barber school, public bathhouse, and public bathroom, and in each hair-dressing parlor in Virginia.

Places Where Manicuring or Chiropody Is Done—Sanitary Requirements.

(Reg. Bd. of H., Dec. 7, 1922)

63. No person with any disease of the skin, hands, or feet shall be treated by a manicurist or chiropodist.

64. Manicurists and chiropodists must wash their hands thoroughly with soap and water before attending any person.

65. No alum or other astringent shall be used in stick form. If used at all to stop the flow of blood, it must be applied in the form of powder. The use of powder puffs is prohibited.

66. No towels shall be used for more than one person without being laundered or sterilized.

67. The use of sponges is prohibited.

68. Floors must be swept or mopped each day, and all furniture and woodwork kept free from dust.

69. Running water must be provided wherever it is possible to be had.

70. All scissors, clippers, and other instruments and utensils shall be thoroughly disinfected after each separate use, either by being immersed with a 15 per cent solution of formaldehyde or by boiling immediately after using.

71. No person suffering from any infectious or contagious disease, including tuberculosis or venereal disease, shall serve in any manicurist or chiropodist establishment.

72. A copy of these regulations shall be hung in a conspicuous place in every manicurist or chiropodist parlor or in any private establishment where the operator offers his or her services to the public.

**Churches, Theaters, Halls, and Other Buildings Used for Public Meetings—
Ventilation—Cleaning. Spittoons to Be Provided in Public Halls, etc. (Reg.
Bd. of H., Dec. 7, 1922)**

44. *Ventilation and general sanitation.*—Every church, hall, theater, or other building used for public meetings shall be kept at all times in a clean and sanitary condition. Every such building shall be provided with proper means for maintaining the purity of the atmosphere, and such means must be employed at all times while building is in use.

45. *Cleaning and dusting public halls, etc.*—All buildings used for public meetings shall be cleaned after each meeting held in them, such cleaning to consist of thorough sweeping of floors and wiping of woodwork, together with the opening of all windows and doors to permit the entrance of fresh air and sunshine. No such building or room shall be swept without first sprinkling the floor with water or throwing on it damp sawdust or other absorbent material to prevent dust. Woodwork shall be wiped down with a damp cloth, and dry dusting with feathers or dry cloths shall not be practiced. In construing this rule, all meetings held during the course of a single day shall be regarded as one meeting.

46. *Expectoration in public halls, etc.*—An ample number of spittoons or cuspidors shall be furnished, which shall contain sufficient water to stand one-half inch deep on the bottom. They shall be emptied, washed, and disinfected with an approved disinfectant after each day's use.

WISCONSIN

Diphtheria—Quarantine Restrictions Governing Patient, Contacts, and Carriers. (Reg. Bd. of H., June 23, 1922)

Patient.—1. Quarantine for patient at least 10 days from time case is reported to health officer, and thereafter until 2 cultures from both the nose and throat, taken not less than 24 hours apart, are negative to diphtheria bacilli, and person, clothing, and home have been disinfected.

Contacts.—1. Members of family and persons in the home with the patient who desire to leave the home, or in cases where patient is removed to an isolation hospital, must be quarantined until one culture from both the nose and throat shows the absence of diphtheria bacilli and until the person and clothing have been disinfected. In cases where patient is removed to an isolation hospital or elsewhere, the home must be disinfected before quarantine is removed. Such persons must not have come in contact with patient after culture is taken.

2. Persons remaining in the home with the patient must remain in quarantine until a culture from both the nose and throat is negative to diphtheria bacilli and person and clothing have been disinfected. Release culture for well members of family shall not be taken until one negative release culture has been obtained from patient.

3. Children in the family with the patient may return to school after taking up their residence elsewhere for five days and obtaining cultures from both the nose and throat which are negative to diphtheria bacilli, the first culture to be taken at the time of removal from the home where the patient is quarantined, the second culture to be taken not earlier than the fourth day after removal from the house where the patient is quarantined. Children coming under this rule may be removed from the house immediately upon the diagnosis of diphtheria without waiting for the first negative swab, provided the child is removed to a family where there are no children and that a swab is taken at the time the child leaves the house.

4. Contacts not in the home with the patient must be cultured for diphtheria bacilli, and if found positive must be quarantined according to the rules for patients or treated as carriers, as the case may be.

Carriers.—1. By the term "carriers" is meant all individuals who, although apparently well, harbor diphtheria bacilli in the nose or throat or both. All carriers must remain under quarantine for five days and thereafter until two successive cultures from both the nose and throat, taken not less than 24 hours apart, are negative to diphtheria bacilli and after disinfection of person, clothing, and premises.

Exceptions to the above quarantine rule can be made in that class of carriers who have not been exposed to a clinical case of diphtheria or have no history of recent sore throat or other indisposition, and also in those persons who have been in quarantine for a period of five weeks since the first terminal culture and are still positive. These may be isolated upon the premises, such isolation to consist of having a separate room, separate meals, and separate or sterilized eating utensils and no association with others of the household. All other members of the family are to receive a negative test of the nose and throat at the begin-

ning and the end of the isolation of the patient, but shall not be confined at home or away from their vocations or from school after the first negative test. Failure to follow the above requirements shall result in quarantine.

In cases which for any reason it is impossible to obtain release cultures the period of quarantine shall be six weeks from the date on which the disease is reported to the health officer.

Schools—Control of Communicable Diseases in—Water Supply—Drinking Fountains—Heating. (Reg. Bd. of H., Jan. 12, 1922)

RULE 17. Attendance at school, when prohibited.—All teachers, school authorities, and health officers having jurisdiction shall not permit the attendance in any private, parochial, or public school of any pupil afflicted with a severe cough, a severe cold, itch, lice, or other vermin, or any contagious skin disease, or who is filthy in body or clothing, or who has any of the following dangerous, contagious, or infectious diseases, to wit: Diphtheria, smallpox, scarlet fever, measles, including German measles, whooping cough, chicken pox, mumps, pulmonary tuberculosis, Asiatic cholera (cholerae), yellow fever, typhus fever, bubonic plague, cerebrospinal meningitis, influenza (la grippe), or acute anterior poliomyelitis. The teachers in all schools shall, without delay, send home any pupil who is obviously sick even if the ailment is unknown, and said teacher shall inform the parents or guardians of said pupil and also the local health officer as speedily as possible, and said health officer shall examine into the case and take such action as is reasonable and necessary for the benefit of the pupils and to prevent the spread of infection.

RULE 18. Duty of parents.—Parents, guardians, or other persons having control of any child who is sick in any way, or who is afflicted with any disease listed in rule 17, shall not permit said child to attend any public, private, or parochial school or to be present in any public place.

RULE 19. Duty of teachers, etc.—School-teachers, pupils, or other persons shall not be admitted to any public, private, or parochial school who have come from, or who reside in, any house or building which harbors or is infested with Asiatic cholera (cholerae), yellow fever, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), measles (see exceptions), cerebrospinal meningitis, influenza (la grippe), or acute anterior poliomyelitis.

Children who have had measles may attend school. Well children in the family who have not had measles may return to school after 14 days from date of last exposure, provided they take up their residence in another home. Children who have measles are not permitted to leave the premises, and all children other than members of the family shall not enter or remain upon the premises while the home is placarded.

RULE 20. Water supply; general.—(a) Every school, either private or public, must be adequately supplied with pure drinking water, and every school board must guard carefully the drinking and washing water supply in connection with the school maintained by them. Special attention must be given in cases where the supply is derived from a source other than a public waterworks.

Water may be supplied and dispensed by means of

1. Well and pump, with individual cups.
2. Water faucets, with individual cups.
3. Sanitary flowing drinking fountains.
4. Portable fountains with bubbler or individual cups.

(b) *Source of water supply.*—No water supply serving a school building shall come from a well or spring situated within apparent danger of pollution.

(c) *Shallow wells and springs.*—Shallow wells or springs shall be so located as not to be subject to pollution from privy vaults, sewage-disposal systems, surface or underground drains, or other dangerous sources.

(d) *Location of privies or sewage-disposal systems with respect to water supply.*—Privy vaults of the leaching type, dry wells, leaching basins, etc., shall where possible be located at least 150 feet from any adjacent well or spring.

(e) *Location of water-tight vaults.*—Water-tight vaults shall be located at least 20 feet from any cistern or 40 feet from any well, spring, or other source of water supply used for drinking or washing purposes. No abandoned well or other water supply shall be used as a privy, dry well, or medium for the disposal of raw or treated sewage.

(f) *Location of well and drainage.*—The school well shall be located on high ground a safe distance from all sources of possible pollution. The surface of surrounding ground shall be made to drain from the well in all directions; waste water or drippings from pumps or other appliances shall be collected in a suitable receiver and conveyed a safe distance from the well to an adequate drain.

(g) *Protection of wells.*—The tops of the wells or springs from which water is obtained for school use shall be provided with a concrete water-tight cover or so constructed as to exclude all surface water.

(h) *Pump.*—The pump when placed directly over the well shall be attached directly to the well casing in drilled wells, and to the platform in dug wells, in such manner as to insure a water-tight joint. Pumps located in pits over the well or within buildings shall have the suction, intake, or delivery pipes so extended into the well or spring that they can not become a factor in the pollution of the water supply.

(i) *Vacation care.*—All school wells that have not been used during the vacation months shall be pumped out sufficiently to remove the stagnant water before school opens.

(j) *Sanitary water containers.*—Where drinking water is not available on the school premises and the water is carried any great distance, clean covered containers shall be provided. The school board shall make all necessary arrangements for furnishing a sufficient supply of pure drinking water, and also water for washing in cases where there is no water supply on the school grounds or where the water supply on the school property is dangerously polluted.

(k) *Drinking devices.*—All bubblers and drinking devices shall be of approved sanitary design and construction. Water pressure and volume shall be such that the drinker may obtain a drink without the lips coming in contact with the bubbler head or orifice. No fountain, bubbler, or device shall be maintained that is an apparent transmitter of disease. Where running water is not available, portable fountains of approved design or individual sanitary cups shall be used.

RULE 21. Heating.—It shall be unlawful for any school board, board of school directors, board of education, or other school officials of Wisconsin to use a common heating stove for the purpose of heating any schoolroom unless each such stove shall be in part inclosed within a shield or jacket made of galvanized iron or other suitable material and of such height and so placed as to protect all pupils while seated at their desks from direct rays of heat.

RULE 22. The State health officer.—Deputy State health officers and local health officers shall enforce these rules and promptly enter prosecution for any violation thereof.

RULE 23. The rules and regulations¹ adopted by the State board of health on January 29, 1913, and published in the official State paper on May 30, 1913, are hereby repealed.

¹ Reprint 264 from Public Health Reports, p. 502.

INDEX

A

Addicts. (<i>See</i> Dipsomania; Drug addicts; Inebriates.)	Page
Administrative code—Public health provisions of—Maryland	64
Alabama	11
Animals—	
Bovine—	
Reacting—Transfer of possession—Requirements to be observed—Massachusetts	74
Tuberculin tested—Tagging—Massachusetts	74
Destroyed because diseased—Payments to owners—Massachusetts	74
Diseased—Appraisal and destruction—Massachusetts	74
Live stock—Migratory—	
Communicable diseases in—Control and eradication—Arizona	15
Fees on—Arizona	15
Inspection for communicable diseases—Arizona	15
Public health provisions of farms and markets law relating to—New York	151
Anthrax. (<i>See</i> Brushes; Communicable diseases; Morbidity reports.)	
Antitoxin—	
(<i>See also</i> Serum.)	
Diphtheria—Sales of—Record and reports—Connecticut	17
Arizona	15

B

Baby homes—Private—Requirements to be observed in—Minnesota	84
Bakeries—	
(<i>See also</i> Food; Food establishments.)	
Construction—Porto Rico	181
Employees—Health certificates required of—Porto Rico	181
Sanitary requirements—Porto Rico	181
Bakery products—	
(<i>See also</i> Food.)	
Manufacture and sale—Porto Rico	181
Sanitary requirements—Porto Rico	181
Barber shops—Sanitary requirements—Virginia	208
Bathhouses—Public—Sanitary requirements—Virginia	208
Bathing places. (<i>See</i> Bathhouses; Swimming pools.)	
Beverages—	
(<i>See also</i> Drinks; Liquors; Soda fountains; Soft-drink establishments.)	
Nonalcoholic—Manufacture, bottling, and sale—Maryland	67
Biologic products. (<i>See</i> Antitoxin; Serum.)	
Births—	
(<i>See also</i> Vital statistics.)	
Certificates—Issuance—Fees in connection with—Louisiana	62
Records—Examination of—New Mexico	134
Registration—	
Kentucky	59
New Mexico	129
New York	178
Town records of, prior to 1850—Purchase and distribution of printed copies by State secretary—Massachusetts	80
Boarding houses for children. (<i>See</i> Children.)	
Boards of health—State—	
Administrative code provisions relating to—Maryland	64
Printing for—Repeal of provision of law relating to—South Carolina	189
Regulations of—Repeal of certain—Minnesota	85
Secretary—	
Duties—Rhode Island	188
Term of office—Rhode Island	188
Work of—Salaries and expenses incident to—Payment—Arizona	15

	Page
Bovine animals. (<i>See</i> Animals.)	
Brushes—Shaving—	
Containing horse hair—Manufacture, possession, sale, or distribution prohibited—Minnesota.	84
Made from horse hair—Manufacture, importation, or sale prohibited—Montana.	90
Buildings—Used for public meetings—Ventilation and cleaning—Virginia	210
Burial. (<i>See</i> Communicable diseases; Dead bodies.)	
C	
Camp or picnic grounds—Public—Sanitary requirements—New Mexico	142
Camps—Construction—Sanitary requirements—New Mexico	140
Carriers of disease. (<i>See</i> Communicable diseases; Diphtheria; Typhoid fever.)	
Cattle. (<i>See</i> Animals.)	
Cerebrospinal meningitis. (<i>See</i> Communicable diseases; Morbidity reports; Serum.)	
Child hygiene—	
(<i>See also</i> Maternity, infancy, and child hygiene.)	
Bureau of—Duties—Maryland	66
Children—	
(<i>See also</i> Baby homes; Hospitals; Pupils.)	
Boarding houses for—	
Definition, licensing, and inspection—Virginia	203
Records—Keeping—Virginia	203
Reports—Making—Virginia	203
Chiropody—Places where done—Sanitary requirements—Virginia	209
Churches—Ventilation and cleaning—Virginia	210
Coal mines. (<i>See</i> Wash rooms.)	
Commissioners of health—	
Deputy—In second and third class cities—Appointment, qualifications, and compensation—New York	150
In second and third class cities—Appointment, qualifications, and compensation—New York	150
Common carriers. (<i>See</i> Communicable diseases.)	
Communicability, periods of. (<i>See</i> Communicable diseases; Venereal diseases.)	
Communicable diseases—	
(<i>See also</i> Animals; Hospitals; Laboratories; Morbidity reports; Names of specific diseases; Venereal diseases.)	
Attendance at gatherings—New York	144
Burial—	
Connecticut	17
Virginia	194
Carriers—Connecticut	17
Common carriers—Connecticut	17
Communicability—Minimum periods of—Connecticut	17
Contacts—Connecticut	17
Control—	
General measures—Connecticut	17
In schools—	
Connecticut	17
Wisconsin	212
Measures for specific diseases—	
New Mexico	108
Virginia	194
Deaths—Reports of, by undertakers—Connecticut	17
Designation—New York	144
Disinfection—	
Connecticut	17
Delaware	30
New Mexico	108
Virginia	194
Duties of health officers—New Mexico	108
Examinations by approved laboratories—May be required—Connecticut	17
Exposure to—	
New Mexico	108
Prohibited when needless—Connecticut	17
Food—	
Handling—Connecticut	17
Handling and sale—New Mexico	108
Fumigation—Virginia	194
Hospitalization—Connecticut	17

Communicable diseases—Continued.	Page
Incubation periods—Connecticut.....	17
Introduction and spread—Measures to be taken and regulations to be adopted and enforced by State board of health to prevent—Maryland.....	63
Isolation—	
Connecticut.....	17
Minimum periods of—New York.....	144
New Mexico.....	108
Virginia.....	194
Laboratory examinations—	
New Mexico.....	108
Submission of specimens for—New York.....	144
Laboratory findings—Reports of positive findings—Connecticut.....	17
Milk—Return of containers from infected premises—Connecticut.....	17
Placarding—	
Connecticut.....	17
New Mexico.....	108
Virginia.....	194
Powers of county health officers to restrict or suppress—Temporary exercise by attending physician of—Maryland.....	63
Quarantine—	
Aid to needy persons under—Connecticut.....	17
Connecticut.....	17
New Mexico.....	108
Virginia.....	194
Reports—By local health officers to State health department—Connecticut.....	17
Reports of cases. (See Morbidity reports.)	
Restrictions on healthy adults in infected household—New York.....	144
School attendance—	
New Mexico.....	108
New York.....	144
Virginia.....	194
Terms defined—	
Connecticut.....	17
New Mexico.....	108
Unusual conditions—Control—Connecticut.....	17
Water containers—Return of, from infected premises—Connecticut.....	17
Connecticut.....	17
Construction camps. (See Camps.)	
Contacts. (See Communicable diseases; Diphtheria; Mumps.)	
Contagious diseases. (See Communicable diseases.)	
Cows. (See Animals.)	
Cream. (See Dairy products; Milk and cream; Milk and milk products.)	
Cultures. (See Diphtheria.)	

D

Dairy products—	
(See also Milk; Milk and cream; Milk and milk products.)	
Definitions—Mississippi.....	86
Production, handling, and sale—Mississippi.....	86
Production, manufacture, handling, testing, and sale—Requirements governing—Kansas.....	50
Public health provisions of farms and markets law relating to—New York.....	151
Dead bodies—	
(See also Deaths.)	
Burial or other disposal—Permits for—Massachusetts.....	81
Interment, disinterment, and transportation—New Mexico.....	134
Deaths—	
(See also Communicable diseases; Dead bodies; Vital statistics.)	
Certificates—Issuance—Fees in connection with—Louisiana.....	62
Records—Examination of—New Mexico.....	134
Registration—	
Duties of undertakers relative to—Virginia.....	208
Kentucky.....	59
New Mexico.....	129
New York.....	178
Town records of, prior to 1850—Purchase and distribution of printed copies by State secretary—Massachusetts.....	80
Delaware.....	30

Departments of health—State—	Page
Administrative code provisions relating to—Maryland.....	64
Bureaus authorized to be established—Designation—Maryland.....	66
Establishment—New Jersey.....	101
How constituted—New Jersey.....	101
Departments of public health—In second and third class cities—	
Establishment—Authorized—New York.....	150
Subordinates—Employment and compensation—New York.....	150
Diarrhea—Outbreaks or unusual prevalence of—Reports of—New York.....	144
Diphtheria—	
(See also Antitoxin; Communicable diseases; Morbidity reports.)	
Attendance at gatherings—Minnesota.....	83
Carriers—Control of—Kansas.....	49
Control—In public institutions—Minnesota.....	83
Cultures—Laboratory examination of—Minnesota.....	83
Quarantine—	
Kansas.....	49
Minnesota.....	83
Restrictions governing patient, contacts, and carriers—Wisconsin.....	211
School attendance—Minnesota.....	83
Dipsomaniacs—Commitment—For detention, care, and treatment—Massachusetts.....	75
Director of health—State—Administrative code provisions relating to—Maryland.....	64
Disinfection. (See Communicable diseases; Plague; Tuberculosis; Venereal diseases.)	
Districts, sewerage. (See Sewerage districts.)	
Domestic animals. (See Animals.)	
Drainage—Standardizing municipal regulations relative to—Continuance of investigation as to advisability of—Massachusetts.....	82
Drains—	
Purchase—By municipalities—New Jersey.....	105
Use—Contracting for—By municipalities—New Jersey.....	105
Drinking fountains—	
Exhibition grounds—Requirements—Alabama.....	13
Schools—Wisconsin.....	212
Drinks—	
(See also Beverages; Liquors; Soda fountains; Soft-drink establishments.)	
Sanitary requirements governing, at exhibition grounds—Alabama.....	13
Drug addicts—Commitment—For detention, care, and treatment—Massachusetts.....	75
Druggists. (See Venereal diseases.)	
Drugs—	
(See also Leprosy; Opium.)	
Adulterated—Sale—New York.....	175
Adulteration—Repeal of article 4 of public health law relating to—New York.....	175
Habit-forming—	
Persons violating law relating to—Prosecution—Maryland.....	70
Places where illegally used, kept, or sold—Deemed common nuisances—Massachusetts.....	75
Unlawful possession, sale, or furnishing—Penalty—Massachusetts.....	75

E

Eggs—	
(See also Food.)	
Candling—Kentucky.....	58
Sale—Kentucky.....	58
Unfit for human food—When deemed to be—Kentucky.....	58
Epileptic colonies—Inmates—Examination and treatment for venereal diseases—Virginia.....	200
Excrement, human—Sanitary disposal—Virginia.....	207
Exhibition grounds—Sanitary requirements—Alabama.....	13

F

Factories—	
Employees—Health certificates may be required of—Porto Rico.....	184
Licensing—Porto Rico.....	184
Farms and markets law—Provisions of, relating to dairy products, domestic animals, and food as affecting public health—New York.....	151
Feeble-minded colonies—Inmates—Examination and treatment for venereal diseases—Virginia.....	200
Fish—	
(See also Food.)	
Inspection—Massachusetts.....	73
Unfit for food—Seizure and disposal—Massachusetts.....	73

	Page
Food—	
(See also Bakeries; Bakery products; Communicable diseases; Dairy products; Eggs; Fish; Food establishments; Ice cream; Milk; Milk and cream; Milk and milk products; Tuberculosis; Vinegar.)	
Adulterated—Certain information relative to—Publication by State department of public health—Massachusetts.....	72
Adulteration—Repeal of article 4 of public health law relating to—New York.....	175
Manufacturing establishments—Opening of, in certain basement rooms prohibited—Montana.....	90
Places used for storing of provisions—Periodic fumigation—Porto Rico.....	181
Public health provisions of farms and markets law relating to—New York.....	151
Sanitary requirements governing, at exhibition grounds—Alabama.....	13
Food establishments—	
(See also Food.)	
Employees—Required to be free from communicable diseases—Virginia.....	207
Fumigation. (See Communicable diseases; Plague.)	
G	
Garbage—	
Disposal—Exhibition grounds—Alabama.....	13
Willful depositing of, on highways unlawful—New York.....	179
Gatherings, attendance at. (See Communicable diseases; Diphtheria; Mumps; Trachoma.)	
Georgia.....	31
H	
Habit-forming drugs. (See Drugs—Habit-forming; Opium.)	
Hair-dressing parlors—Sanitary requirements—Virginia.....	208
Halls—Ventilation and cleaning—Virginia.....	210
Hawaii.....	32
Health authorities. (See Boards of health; Child hygiene; Commissioners of health; Departments of health; Departments of public health; Director of health; Health employees; Health officers; Maternity, infancy, and child hygiene; Mental hygiene.)	
Health employees—Local—Associations of, formed for pension purposes—	
Physical examination of employees applying for membership—New Jersey.....	102
Retirement of members—New Jersey.....	102
Health officers—	
Conferences of—Maryland.....	63
County—	
Appointment—At compensation greater than \$1,800 per annum—Qualifications required—New Mexico.....	126
Full-time—	
Appointment authorized—Maryland.....	66
Powers, duties, and compensation—Maryland.....	66
In second and third class cities—Appointment, qualifications, and compensation—New York.....	150
Homes. (See Baby homes; Hospitals.)	
Horsehair. (See Brushes.)	
Hospitalization. (See Communicable diseases; Tuberculosis.)	
Hospitals—	
(See also Occupational therapy departments; Tuberculosis.)	
Communicable disease—County—	
Care and treatment of persons in—New Jersey.....	94
Control—By board of chosen freeholders—New Jersey.....	95
Management—New Jersey.....	94
Removal of infected persons to—New Jersey.....	94
Insane—Inmates—Examination and treatment for venereal diseases—Virginia.....	200
Maternity—	
Definition, licensing, and inspection—Virginia.....	202
Duties of local health officers relative to—Minnesota.....	84
Records—Keeping—Virginia.....	202
Reports—Making—Virginia.....	202
Requirements to be observed—Virginia.....	202
Public general—In counties, towns, cities, or villages—Care of tuberculous patients in—	
Provision may be made in certain cases for—New York.....	148
Tuberculosis—	
County—	
Establishment, management, maintenance, and inspection—New Jersey.....	95
Patients—Admission, care, treatment, and maintenance—New Jersey.....	98
State aid—New Jersey.....	98

Hospitals—Continued.

Tuberculosis—Continued.

County—Continued.

Superintendent—Powers and duties—New Jersey.....	Page 98
Establishment, equipment, and maintenance—Jointly by counties and first-class cities therein—Kentucky.....	53
Powers of counties relative to—Massachusetts.....	71
State—	
Appropriations by cities, towns, and counties for use at, authorized—Georgia.....	31
For advanced cases—Administrative commission for—Maryland.....	64
Pavilions for young children at—Erection—Virginia.....	200
Regulations concerning—To be made by State board of health—Georgia.....	31

Hotels—

Definition—Virginia.....	206
Improper conditions in—Correction of—Virginia.....	206
Inspection—Virginia.....	206
Inspection fees—South Carolina.....	189
Sanitary requirements—Virginia.....	206
Screening—Virginia.....	207
Water supply—Protection—Virginia.....	207
Housing act—Repeal of—Kentucky.....	61
Hypodermic instruments—Possession and sale—Massachusetts.....	75

I

Ice—Cut from canals—Sale—New York.....	175
Ice cream—	
(See also Food.)	
Adulterated—When deemed to be—New Jersey.....	103
Definition, standards, and sale—New Jersey.....	103
Definitions and standards—Kentucky.....	58
Misbranded—When deemed to be—New Jersey.....	103
Sale—Kentucky.....	58
Ice cream parlors—	
Employees—Montana.....	90
Sanitary requirements—Montana.....	90
Illinois.....	33
Incubation periods. (See Communicable diseases.)	
Industrial camps. (See Camps.)	
Industrial diseases—Reports of cases—New Mexico.....	106
Inebriates—Commitment—For detention, care, and treatment—Massachusetts.....	75
Infectious diseases. (See Communicable diseases.)	
Insane hospitals. (See Hospitals.)	
Institutions—	
Charitable—Inmates—Examination and treatment for venereal diseases—Illinois.....	39
Public—Control of diphtheria in—Minnesota.....	83
Isolation. (See Communicable diseases; Trachoma; Tuberculosis; Venereal diseases.)	

J

Jaundice—Outbreaks or unusual prevalence of—Reports of—New York.....	144
--	-----

K

Kansas.....	48
Kentucky.....	53

L

Labor camps. (See Camps.)	
Laboratories—Making communicable disease examinations—Registration and approval—Connecticut.....	17
Laboratory examinations. (See Communicable diseases; Diphtheria; Typhoid fever; Venereal diseases.)	
Lands—Urbanization—Sanitary requirements—Porto Rico.....	185
Leprosy—	
(See also Communicable diseases; Morbidity reports.)	
Drugs manufactured by government for treatment of—Sale to private parties—Philippine Islands.....	180
Liquors—Analysis—By State department of public health—Massachusetts.....	73
Livestock. (See Animals.)	

Lodging houses—Inspection fees—South Carolina.....	Page 189
Louisiana.....	62
Lying-in hospitals. (See Hospitals.)	

M

Malaria. (See Communicable diseases; Morbidity reports; Mosquitoes; Water.)	
Manicuring—Places where done—Sanitary requirements—Virginia.....	209
Markets law, farms and—Provisions of, relating to dairy products, domestic animals, and food as affecting public health—New York.....	151
Marriages—	
(See also Vital statistics.)	
Town records of, prior to 1850—Purchase and distribution of printed copies by State secretary—Massachusetts.....	80
Maryland.....	63
Massachusetts.....	71
Maternity hospitals. (See Hospitals.)	
Maternity, infancy, and child hygiene—	
(See also Child hygiene.)	
Division of—	
Appropriations—New York.....	149
Establishment, purposes, powers, and duties—New York.....	149
Officers and employees—New York.....	149
Medicines—Adulterated—Sale—New York.....	175
Mental hygiene—	
Division of—Establishment in State department of mental diseases—Massachusetts.....	72
Powers and duties of department of mental diseases and division of mental hygiene relative to—Massachusetts.....	72
Midwives—	
Certain acts not to be done by—New York.....	175
Licensing and registration—New York.....	175
Milk—	
(See also Communicable diseases; Dairy products; Food; Milk and cream; Milk and milk products.)	
Certified—Standards and requirements applicable to—Minnesota.....	84
Milk and cream—	
(See also Dairy products; Food; Milk; Milk and milk products.)	
Regulations relating to—Local health authorities may adopt—New York.....	151
Milk and milk products—	
(See also Dairy products; Food; Milk; Milk and cream.)	
Containers—Labeling—New Jersey.....	102
Definitions, standards, manufacture, and sale—New Jersey.....	102
Minnesota.....	83
Mississippi.....	86
Montana.....	90
Morbidity reports—	
Communicable diseases—	
Connecticut.....	17
New Mexico.....	106
Virginia.....	194
Industrial diseases—New Mexico.....	106
Trachoma—Illinois.....	33
Tuberculosis—Illinois.....	37
Venereal diseases—Illinois.....	38
Mosquitoes—Extirpation—	
Towns making expenditures for—State aid to—Rhode Island.....	188
Work by county commissions—New York.....	146
Mumps—	
(See also Communicable diseases; Morbidity reports.)	
Nonimmune contacts among children—Attendance at school and gatherings—Kansas.....	49
Placarding—Kansas.....	49
Quarantine—Kansas.....	49

N

Narcotic drugs. (See Drugs—Habit-forming; Opium.)	
Nebraska.....	92
New Jersey.....	94

New Mexico.....	Page 106
New York.....	144
Nuisances—Abatement—Proceedings for—Mississippi.....	88
Nurseries. (See Children—Boarding houses for.)	

O

Occupational diseases. (See Industrial diseases.)	
Occupational therapy departments—Establishment, maintenance, and operation—By municipal corporations in connection with public general hospitals or tuberculosis hospitals—	
New York.....	147
Validation of prior action relative to—New York.....	147
Ophthalmia neonatorum—	
(See also Communicable diseases; Morbidity reports.)	
Preventive treatment—	
New Mexico.....	125
New York.....	144
Opium—	
(See also Drugs—Habit-forming.)	
Instruments and articles intended to be used with—Forfeiture and disposal when unlawfully used or possessed—Philippine Islands.....	180
Used or possessed unlawfully—Forfeiture and disposal—Philippine Islands.....	180

P

Pharmacists. (See Venereal diseases.)	
Philippine Islands.....	180
Picnic or camp grounds—Public—Sanitary requirements—New Mexico.....	142
Placarding. (See Communicable diseases; Mumps; Trachoma; Tuberculosis; Venereal diseases.)	
Plague—	
(See also Communicable diseases; Morbidity reports.)	
Cargo from ports infected with—Fumigation—Porto Rico.....	181
Places used for storing of provisions—Periodic fumigation—Porto Rico.....	181
Plumbing—Standardizing municipal regulations relative to—Continuance of investigation as to advisability of—Massachusetts.....	82
Porto Rico.....	181
Poultry—Soaked in water—Repeal of provision of law prohibiting sale of—Maryland.....	67
Prisoners—Examination and treatment for venereal diseases—	
Illinois.....	39
Virginia.....	200
Prostitution—Repression—Illinois.....	38
Public establishments—	
Employees—Health certificates may be required of—Porto Rico.....	184
Licensing—Porto Rico.....	184
Public health—Protection of—Certain counties authorized to provide for, by contracting with cities within the counties or with health organizations—Georgia.....	31
Pupils—	
(See also Communicable diseases.)	
Medical inspection—	
Hawaii.....	32
In certain cases—Massachusetts.....	71
Philippine Islands.....	180
Vaccination—Hawaii.....	32

Q

Quarantine. (See Communicable diseases; Diphtheria; Mumps; Smallpox; Venereal diseases.)

R

Refuse—	
(See also Rubbish.)	
Disposal—Exhibition grounds—Alabama.....	13
Restaurants—	
Inspection fees—South Carolina.....	189
Screening—Virginia.....	207
Water supply—Protection—Virginia.....	207
Rhode Island.....	188
Rubbish—	
(See also Refuse.)	
Willful depositing of, on highways unlawful—New York.....	179

S		Page
Sanatoriums. (<i>See Hospitals.</i>)		
Sanitary work, certain—On private property—Performance by municipalities and assessment of cost against property—Mississippi		88
School attendance. (<i>See Communicable diseases; Diphtheria; Mumps; Trachoma; Tuberculosis.</i>)		
School children. (<i>See Pupils.</i>)		
School janitors. (<i>See Schools.</i>)		
School teachers. (<i>See Teachers.</i>)		
Schools—		
(<i>See also Communicable diseases.</i>)		
Drinking fountains—Wisconsin	212	
Employment of open cases of tuberculosis in, prohibited—Illinois	33	
Heating—Wisconsin	212	
Sanitary requirements—Virginia	205	
Water supply—Wisconsin	212	
Serum—		
(<i>See also Antitoxin.</i>)		
Antimeningitic—Sales of—Record and reports—Connecticut	17	
Sewage disposal plants—		
Purchase—By municipalities—New Jersey	105	
Use—Contracting for—By municipalities—New Jersey	105	
Sewage treatment plants—		
Operation—New Mexico	126	
Purchase—By municipalities—New Jersey	105	
Use—Contracting for—By municipalities—New Jersey	105	
Sewerage districts—Creation and establishment—By municipalities—New Jersey	104	
Sewerage systems—In sewerage districts—Construction, operation, and maintenance—By municipalities—New Jersey	104	
Sewers—		
Purchase—By municipalities—New Jersey	105	
Use—Contracting for—By municipalities—New Jersey	105	
Shaving brushes. (<i>See Brushes.</i>)		
Smallpox—		
(<i>See also Communicable diseases; Morbidity reports; Pupils.</i>)		
Quarantine—Minnesota	84	
Soda fountains—		
Employees—Montana	90	
Sanitary requirements—Montana	90	
Soft-drink establishments—		
(<i>See also Beverages.</i>)		
Employees—Montana	90	
Sanitary requirements—Montana	90	
South Carolina	189	
Spittoons—To be provided in public halls, etc.—Virginia	210	
Swimming pools—		
Construction—		
New Mexico	137	
Tennessee	191	
Inspection—Nebraska	92	
Operation—		
New Mexico	137	
Tennessee	191	
Plans for—Approval—Nebraska	92	
Sanitary requirements—		
Nebraska	92	
New Mexico	137	
Tennessee	191	
T		
Teachers—		
(<i>See also Schools.</i>)		
Health certificates required of, annually—Hawaii	32	
Tennessee	191	
Theaters—Ventilation and cleaning—Virginia	210	
Toilets—Exhibition grounds—Requirements—Alabama	13	
Trachoma—		
(<i>See also Communicable diseases; Morbidity reports.</i>)		
Advice to be given patient and members of household—Illinois	37	

Trachoma—Continued.	Page
Attendance at gatherings—Illinois	37
Investigation of cases—Illinois	37
Isolation—Illinois	37
Placarding—Illinois	37
Precautions to prevent spread—Illinois	37
Removal of cases—To other health jurisdictions—Illinois	37
School attendance—Illinois	37
Tuberculosis—	
(See also Animals; Communicable diseases; Hospitals; Morbidity reports.)	
Certain reports concerning cases of—Physicians required to make—Hawaii	32
Clinical unit of physicians and nurses—Organization—Virginia	200
Control of cases—Connecticut	17
Disinfection—Illinois	33
Food—Handling and sale—Illinois	33
Hospitalization—In certain cases—Illinois	33
Inspection of home of patient—Illinois	33
Isolation—In certain cases—Illinois	33
Open cases—	
Defined—Illinois	33
Employment of, in schools prohibited—Illinois	33
Placarding—In certain cases—Illinois	33
Precautions to prevent spread—Illinois	33
Printed instructions and materials and supplies to prevent spread—Distribution of—Maryland	63
Publications on—Printing—Virginia	200
Removal of cases—Illinois	33
Repeal of certain provisions of law relating to—Maryland	63
Reports of cases—Illinois	33
School attendance—Illinois	33
Sputum examinations—Illinois	33
State commission—	
Creation—Louisiana	62
How constituted—Louisiana	62
Meetings—Louisiana	62
Members—Compensation—Louisiana	62
Surgical or nonpulmonary—Additional hospital accommodations for treatment of—Investigation relative to providing—Massachusetts	71
Typhoid fever—	
(See also Communicable diseases; Morbidity reports.)	
Carriers—	
Definition—Kansas	48
Instructions to be given to—Kansas	48
Laboratory examinations of discharges—Kansas	48
Precautions by, to prevent spread—Kansas	48
Prohibited occupations—Kansas	48
Release—Kansas	48
Removal to other jurisdictions—Kansas	48
Reports to State department of health regarding—Kansas	48

U

Undertakers. (See Communicable diseases; Deaths.)	
Urbanization of lands—Sanitary requirements—Porto Rico	185

V

Vaccination. (See Pupils.)	
Veneral diseases—	
(See also Communicable diseases; Epileptic colonies; Feeble-minded colonies; Hospitals; Institutions; Morbidity reports; Prisoners; Prostitution.)	
Certificates showing freedom from infection—Issuance—	
Illinois	38-39
New Mexico	108
Circular of information to be given patient—	
Illinois	38
New Mexico	208
Communicability—Periods of—New Mexico	108
Control measures—Illinois	38
Control of cases—Connecticut	17

Venereal diseases—Continued.	Page
Disinfection—New Mexico.....	108
Duties of health authorities—Illinois.....	38
Examination of suspected cases—Illinois.....	38
Exposure of others by infected person unlawful—Illinois.....	38
Infected inmates of State reformatory for women not to be paroled or released—Nebraska.....	92
Isolation—	
Illinois.....	38
New Mexico.....	108
Laboratory examinations—Illinois.....	38
Placarding—	
Illinois.....	38
New Mexico.....	108
Prohibited occupations—Illinois.....	38
Quarantine—	
Illinois.....	38
New Mexico.....	108
Records—By druggists—Illinois.....	38
Removal of cases—To other health jurisdictions—Illinois.....	39
Reports—	
By druggists—Illinois.....	38
By laboratories of positive findings—Illinois.....	38
To be confidential—Illinois.....	38
Reports of cases. (See Morbidity reports.)	
Terms defined—Illinois.....	39
Treatment—	
Illinois.....	38
New Mexico.....	108
Of indigent cases by State-aided hospitals—Mississippi.....	86
Vinegar—	
(See also Food.)	
Adulterated—When deemed to be—Massachusetts.....	74
Definition and standards—Massachusetts.....	74
Examination—Methods for—Massachusetts.....	74
Virginia.....	194
Vital statistics—	
(See also Births; Deaths; Marriages; Morbidity reports.)	
Local registrars of—	
Designation—Virginia.....	207
Failure or neglect to perform duties—Penalty—Virginia.....	207
State registrar of—Appointment, compensation, powers, and duties—Massachusetts.....	80
W	
Wash rooms—Coal mines—Establishment, maintenance, and sanitary requirements—Maryland.....	70
Water—	
(See also Communicable diseases; Water supply.)	
Drinking—Analyses—	
Required—South Carolina.....	189
Results of—Publication—South Carolina.....	189
Impounding—Regulation of, to prevent malaria—	
Alabama.....	11
Virginia.....	201
Water supply—	
(See also Water.)	
Exhibition grounds—Sanitary requirements—Alabama.....	13
Hotels and restaurants—Protection—Virginia.....	207
Schools—Wisconsin.....	212
Wisconsin.....	211
Workshops—	
Employees—Health certificates may be required of—Porto Rico.....	184
Licensing—Porto Rico.....	184

age
108
38
38
38
92

38
108
38
38
108
38

38
108
38
39

38
38
38

39
38
108
86

74
74
74
194

207
207
80

70

189
189

11
201

13
207
212
211

184
184